

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 7624
OFFERED BY M. _____**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Spectrum Innovation Act of 2022”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—SPECTRUM AUCTIONS AND INNOVATION

Sec. 101. Spectrum auctions and innovation.

**TITLE II—SECURE AND TRUSTED COMMUNICATIONS NETWORKS
REIMBURSEMENT PROGRAM**

Sec. 201. Increase in limitation on expenditure.

TITLE III—NEXT GENERATION 9–1–1

Sec. 301. Further deployment and coordination of Next Generation 9–1–1.

Sec. 302. Transfer to NTIA of sole responsibility for certain 9–1–1 implementation coordination functions.

**6 TITLE I—SPECTRUM AUCTIONS
7 AND INNOVATION**

8 SEC. 101. SPECTRUM AUCTIONS AND INNOVATION.

9 (a) DEFINITIONS.—In this section:

1 (1) ASSISTANT SECRETARY.—The term “Assist-
2 ant Secretary” means the Assistant Secretary of
3 Commerce for Communications and Information.

4 (2) COMMISSION.—The term “Commission”
5 means the Federal Communications Commission.

6 (3) COVERED BAND.—The term “covered
7 band” means the band of frequencies between 3100
8 megahertz and 3450 megahertz, inclusive.

9 (4) FEDERAL ENTITY.—The term “Federal en-
10 tity” has the meaning given such term in section
11 113(l) of the National Telecommunications and In-
12 formation Administration Organization Act (47
13 U.S.C. 923(l)).

14 (5) RELEVANT CONGRESSIONAL COMMIT-
15 TEES.—The term “relevant congressional commit-
16 tees” means—

17 (A) the Committee on Energy and Com-
18 merce of the House of Representatives;

19 (B) the Committee on Commerce, Science,
20 and Transportation of the Senate;

21 (C) the Committee on Armed Services of
22 the House of Representatives; and

23 (D) the Committee on Armed Services of
24 the Senate.

1 (6) RELOCATION OR SHARING COSTS.—The
2 term “relocation or sharing costs” has the meaning
3 given such term in section 113(g)(3) of the National
4 Telecommunications and Information Administration
5 Organization Act (47 U.S.C. 923(g)(3)).

6 (7) SECRETARY.—The term “Secretary” means
7 the Secretary of Commerce.

8 (b) 3.1–3.45 GHz BAND.—

9 (1) PIPELINE FUNDING.—

10 (A) IN GENERAL.—Immediately following
11 the approval under subparagraph (E) of sub-
12 section (g)(2) of section 118 of the National
13 Telecommunications and Information Adminis-
14 tration Organization Act (47 U.S.C. 928) of a
15 plan submitted under subparagraph (D)(i)(I) of
16 such subsection by a Federal entity with oper-
17 ations in the covered band, the Director of the
18 Office of Management and Budget shall trans-
19 fer to such Federal entity from the Spectrum
20 Relocation Fund established under such section
21 \$50,000,000 for such Federal entity to carry
22 out activities described in subparagraph (A) of
23 such subsection in order to make available the
24 entire covered band for non-Federal use, shared

1 Federal and non-Federal use, or a combination
2 thereof, including by making available—

3 (i) frequencies in the covered band for
4 identification by the Secretary under para-
5 graph (2)(A); and

6 (ii) frequencies in the covered band
7 for identification by the Secretary under
8 paragraph (2)(B).

9 (B) EXEMPTION.—Section
10 118(g)(2)(D)(ii) of the National Telecommuni-
11 cations and Information Administration Organi-
12 zation Act (47 U.S.C. 928(g)(2)(D)(ii)) shall
13 not apply with respect to the payment required
14 under subparagraph (A).

15 (C) OVERSIGHT.—The Assistant Secretary
16 and the Executive Office of the President shall
17 continuously review and provide oversight of the
18 activities carried out using a payment under
19 subparagraph (A).

20 (D) REPORT TO SECRETARY OF COM-
21 MERCE AND CONGRESS.—Not later than 18
22 months after the date of enactment of this Act,
23 for the purposes of aiding the Secretary in
24 making the identification under paragraph (2)
25 and informed by the activities carried out using

1 a payment under subparagraph (A), any Fed-
2 eral entity receiving such a payment, in con-
3 sultation with the Assistant Secretary and the
4 Executive Office of the President, shall submit
5 to the Secretary and the relevant congressional
6 committees a report that—

7 (i) contains the findings of the activi-
8 ties carried out using such payment; and

9 (ii) recommends—

10 (I) frequencies in the covered
11 band for identification by the Sec-
12 retary under paragraph (2)(A); and

13 (II) frequencies in the covered
14 band for identification by the Sec-
15 retary under paragraph (2)(B).

16 (2) IDENTIFICATION.—Not later than 24
17 months after the date of enactment of this Act, in-
18 formed by the activities carried out using a payment
19 under paragraph (1)(A) and the report required
20 under paragraph (1)(D), the Secretary, in consulta-
21 tion with the Secretary of Defense, the Director of
22 the Office of Science and Technology Policy, and the
23 Commission, shall submit to the President, the Com-
24 mission, and the relevant congressional committees a
25 report that—

1 (A) identifies for inclusion in a system of
2 competitive bidding under paragraph (3) at
3 least 200 megahertz of frequencies in the cov-
4 ered band for non-Federal use, shared Federal
5 and non-Federal use, or a combination thereof;
6 and

7 (B) identifies additional frequencies in the
8 covered band that could be made available for
9 non-Federal use, shared Federal and non-Fed-
10 eral use, or a combination thereof.

11 (3) AUCTION.—

12 (A) IN GENERAL.—Not later than 7 years
13 after the date of enactment of this Act, the
14 Commission, in coordination with the Assistant
15 Secretary, shall commence a system of competi-
16 tive bidding under section 309(j) of the Com-
17 munications Act of 1934 (47 U.S.C. 309(j)), in
18 accordance with paragraph (2) of this sub-
19 section, of the frequencies identified under sub-
20 paragraph (A) of that paragraph.

21 (B) PROHIBITION.—No entity that is on
22 the list required by section 2 of the Secure and
23 Trusted Communications Networks Act of 2019
24 (47 U.S.C. 1601) may participate in the system

1 of competitive bidding required by subpara-
2 graph (A).

3 (C) SCOPE.—The Commission may not in-
4 clude in the system of competitive bidding re-
5 quired by subparagraph (A) any frequencies
6 that are not in the covered band.

7 (D) DEPOSIT OF PROCEEDS.—Notwith-
8 standing subparagraphs (A), (C)(i), and (D) of
9 section 309(j)(8) of the Communications Act of
10 1934 (47 U.S.C. 309(j)(8)) and except as pro-
11 vided in subparagraph (B) of such section, the
12 proceeds (including deposits and upfront pay-
13 ments from successful bidders) of the system of
14 competitive bidding required by subparagraph
15 (A) of this paragraph (in this subparagraph re-
16 ferred to as the “covered proceeds”) shall be
17 deposited or available as follows:

18 (i) Such amount of the covered pro-
19 ceeds as is necessary to cover the reloca-
20 tion or sharing costs of Federal entities re-
21 located from or sharing the frequencies
22 identified under paragraph (2)(A) of this
23 subsection shall be deposited in the Spec-
24 trum Relocation Fund established under
25 section 118 of the National Telecommuni-

1 cations and Information Administration
2 Organization Act (47 U.S.C. 928).

3 (ii) After the amount required to be
4 deposited by clause (i) is so deposited,
5 \$3,400,000,000 (or such lesser amount as
6 remains) of the covered proceeds shall be
7 available to the Commission until expended
8 to make reimbursements under section 4 of
9 the Secure and Trusted Communications
10 Networks Act of 2019 (47 U.S.C. 1603).

11 (iii) After the amount required to be
12 made available by clause (ii) is so made
13 available, any remainder of the covered
14 proceeds (but not more than
15 \$10,000,000,000 of any such remainder)
16 shall be available to the Assistant Sec-
17 retary until expended to carry out title III
18 of this Act and the amendments made by
19 such title, except that not more than 4 per-
20 cent of the amount made available by this
21 clause may be used for administrative pur-
22 poses (including carrying out sections 160
23 and 161 of the National Telecommuni-
24 cations and Information Administration
25 Organization Act, as added by such title).

1 (4) MODIFICATION OR WITHDRAWAL.—

2 (A) IN GENERAL.—The President shall
3 modify or withdraw any assignment to a Fed-
4 eral Government station of the frequencies iden-
5 tified under paragraph (2)(A) to accommodate
6 non-Federal use, shared Federal and non-Fed-
7 eral use, or a combination thereof in accordance
8 with that paragraph.

9 (B) LIMITATIONS.—The President may not
10 modify or withdraw any assignment to a Fed-
11 eral Government station as described in sub-
12 paragraph (A)—

13 (i) unless the President determines
14 that such modification or withdrawal will
15 not compromise the primary mission of a
16 Federal entity operating in the covered
17 band; or

18 (ii) before November 30, 2024.

19 (5) AUCTION PROCEEDS TO COVER 110 PER-
20 CENT OF FEDERAL RELOCATION OR SHARING
21 COSTS.—Nothing in this subsection shall be con-
22 strued to relieve the Commission from the require-
23 ments under section 309(j)(16)(B) of the Commu-
24 nications Act of 1934 (47 U.S.C. 309(j)(16)(B)).

1 (6) RULES AUTHORIZING ADDITIONAL USE OF
2 SPECTRUM IN COVERED BAND.—Not later than 4
3 years after the date of enactment of this Act, the
4 Commission, in coordination with the Assistant Sec-
5 retary, shall adopt rules that authorize the use of
6 spectrum in the covered band identified under para-
7 graph (2)(B) for non-Federal use, shared Federal
8 and non-Federal use, or a combination thereof.

9 (c) FCC AUCTION AUTHORITY.—

10 (1) TERMINATION.—Section 309(j)(11) of the
11 Communications Act of 1934 (47 U.S.C. 309(j)(11))
12 is amended by striking “2025” and all that follows
13 and inserting “2025, and with respect to the electro-
14 magnetic spectrum identified under section
15 101(b)(2)(A) of the Spectrum Innovation Act of
16 2022, such authority shall expire on the date that is
17 7 years after the date of enactment of that Act.”.

18 (2) SPECTRUM PIPELINE ACT OF 2015.—Section
19 1004 of the Spectrum Pipeline Act of 2015 (Public
20 Law 114–74; 129 Stat. 621; 47 U.S.C. 921 note) is
21 amended—

22 (A) in subsection (a), by striking “2022”
23 and inserting “2024”; and

24 (B) in subsection (b)(1), by striking
25 “2022” and inserting “2024”.

1 (d) REPEAL.—Section 90008 of the Infrastructure
2 Investment and Jobs Act (Public Law 117–58; 135 Stat.
3 1348; 47 U.S.C. 921 note), and the item relating to such
4 section in the table of contents in section 1(b) of such Act,
5 are repealed.

6 **TITLE II—SECURE AND TRUSTED**
7 **COMMUNICATIONS NET-**
8 **WORKS REIMBURSEMENT**
9 **PROGRAM**

10 **SEC. 201. INCREASE IN LIMITATION ON EXPENDITURE.**

11 Section 4(k) of the Secure and Trusted Communica-
12 tions Networks Act of 2019 (47 U.S.C. 1603(k)) is
13 amended by striking “\$1,900,000,000” and inserting
14 “\$5,300,000,000”.

15 **TITLE III—NEXT GENERATION 9–**
16 **1–1**

17 **SEC. 301. FURTHER DEPLOYMENT AND COORDINATION OF**
18 **NEXT GENERATION 9–1–1.**

19 (a) ADDITIONAL DUTIES OF THE 9–1–1 IMPLEMEN-
20 TATION COORDINATION OFFICE WITH RESPECT TO NEXT
21 GENERATION 9–1–1.—Section 158 of the National Tele-
22 communications and Information Administration Organi-
23 zation Act (47 U.S.C. 942) is amended—

24 (1) in subsection (a)—

1 (A) in paragraph (1)(B), by inserting “and
2 section 159” after “section”; and

3 (B) by adding at the end the following:

4 “(4) ADDITIONAL DUTIES OF THE OFFICE
5 WITH RESPECT TO NEXT GENERATION 9–1–1.—

6 “(A) ADDITIONAL DUTIES.—The Office
7 shall—

8 “(i) take actions, in concert with the
9 coordinators designated in accordance with
10 section 159(b)(2)(A)(ii), to improve coordi-
11 nation and communication with respect to
12 the implementation of Next Generation 9–
13 1–1;

14 “(ii) develop, collect, and disseminate
15 information concerning the practices, pro-
16 cedures, and technology used in the imple-
17 mentation of Next Generation 9–1–1;

18 “(iii) advise and assist eligible entities
19 in the preparation of implementation plans
20 required under section 159(b)(2)(A)(iii);

21 “(iv) provide technical assistance to
22 eligible entities provided a grant under sec-
23 tion 159(b) in support of efforts to explore
24 efficiencies related to Next Generation 9–
25 1–1;

1 “(v) receive, review, and recommend
2 to the Assistant Secretary and the Admin-
3 istrator the approval or disapproval of ap-
4 plications for grants under section 159(b);
5 and

6 “(vi) oversee the use of funds pro-
7 vided by such grants in fulfilling such im-
8 plementation plans.

9 “(B) ANNUAL REPORTS.—Not later than
10 October 1, 2023, and each year thereafter until
11 funds made available to make grants under sec-
12 tion 159(b) are no longer available to be ex-
13 pended, the Assistant Secretary and the Admin-
14 istrator shall submit to Congress a report on
15 the activities conducted by the Office under
16 subparagraph (A) in the year preceding the
17 submission of the report.”; and

18 (2) in subsection (d)(2), by striking “section”
19 each place it appears and inserting “section (except
20 for paragraphs (1) and (4) of subsection (a) and for
21 subsection (e))”.

22 (b) COORDINATION OF NEXT GENERATION 9–1–1
23 IMPLEMENTATION.—Part C of the National Tele-
24 communications and Information Administration Organi-

1 zation Act (47 U.S.C. 901 et seq.) is amended by adding
2 at the end the following:

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

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

7 “(1) MANAGEMENT PLAN.—

8 “(A) DEVELOPMENT.—The Assistant Sec-
9 retary and the Administrator shall develop a
10 management plan for the grant program estab-
11 lished under this section, including by devel-
12 oping—

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 180 days after the date of the enact-
19 ment of this section, the Assistant Secretary
20 and the Administrator shall—

21 “(i) submit the management plan de-
22 veloped under subparagraph (A) to—

23 “(I) the Committees on Com-
24 merce, Science, and Transportation
25 and Appropriations of the Senate; and

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

4 “(ii) publish the management plan de-
5 veloped under subparagraph (A) on the
6 website of the National Telecommuni-
7 cations and Information Administration.

8 “(2) MODIFICATION OF PLAN.—

9 “(A) MODIFICATION.—The Assistant Sec-
10 retary and the Administrator may modify the
11 management plan developed under paragraph
12 (1)(A).

13 “(B) SUBMISSION.—Not later than 90
14 days after the plan is modified under subpara-
15 graph (A), the Assistant Secretary and the Ad-
16 ministrator shall—

17 “(i) submit the modified plan to—

18 “(I) the Committees on Com-
19 merce, Science, and Transportation
20 and Appropriations of the Senate; and

21 “(II) the Committees on Energy
22 and Commerce and Appropriations of
23 the House of Representatives; and

1 “(ii) publish the modified plan on the
2 website of the National Telecommuni-
3 cations and Information Administration.

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

6 “(1) GRANTS.—The Assistant Secretary and
7 the Administrator, acting through the Office, shall
8 provide grants to eligible entities for—

9 “(A) implementing Next Generation 9–1–
10 1;

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

12 “(C) training directly related to imple-
13 menting, maintaining, and operating Next Gen-
14 eration 9–1–1 if the cost related to the training
15 does not exceed 3 percent of the total grant
16 award;

17 “(D) public outreach and education on how
18 the public can best use Next Generation 9–1–
19 1 and the capabilities and usefulness of Next
20 Generation 9–1–1;

21 “(E) administrative costs associated with
22 planning and implementation of Next Genera-
23 tion 9–1–1, including any cost related to plan-
24 ning for and preparing an application and re-

1 lated materials as required by this subsection,
2 if—

3 “(i) the cost is fully documented in
4 materials submitted to the Office; and

5 “(ii) the cost is reasonable, necessary,
6 and does not exceed 1 percent of the total
7 grant award; and

8 “(F) costs associated with implementing
9 cybersecurity measures at emergency commu-
10 nications centers or with respect to Next Gen-
11 eration 9–1–1.

12 “(2) APPLICATION.—In providing grants under
13 paragraph (1), the Assistant Secretary and the Ad-
14 ministrator, acting through the Office, shall require
15 an eligible entity to submit to the Office an applica-
16 tion, at the time and in the manner determined by
17 the Assistant Secretary and the Administrator, and
18 containing the certification required by paragraph
19 (3).

20 “(3) COORDINATION REQUIRED.—Each eligible
21 entity shall include in the application required by
22 paragraph (2) a certification that—

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

1 “(i) has coordinated the application
2 with the emergency communications cen-
3 ters located within the jurisdiction of the
4 entity;

5 “(ii) has designated a single officer or
6 governmental body to serve as the State
7 point of contact to coordinate the imple-
8 mentation of Next Generation 9–1–1 for
9 that State, except that such designation
10 need not vest such officer or governmental
11 body with direct legal authority to imple-
12 ment Next Generation 9–1–1 or to manage
13 emergency communications operations; and

14 “(iii) has developed and submitted a
15 plan for the coordination and implementa-
16 tion of Next Generation 9–1–1 that—

17 “(I) ensures interoperability by
18 requiring the use of commonly accept-
19 ed standards;

20 “(II) ensures reliable operations;

21 “(III) enables emergency commu-
22 nications centers to process, analyze,
23 and store multimedia, data, and other
24 information;

1 “(IV) incorporates cybersecurity
2 tools, including intrusion detection
3 and prevention measures;

4 “(V) includes strategies for co-
5 ordinating cybersecurity information
6 sharing between Federal, State, Trib-
7 al, and local government partners;

8 “(VI) uses open and competitive
9 request for proposal processes, includ-
10 ing through shared government pro-
11 curement vehicles, for deployment of
12 Next Generation 9–1–1;

13 “(VII) documents how input was
14 received and accounted for from rel-
15 evant rural and urban emergency
16 communications centers, regional au-
17 thorities, local authorities, and Tribal
18 authorities;

19 “(VIII) includes a governance
20 body or bodies, either by creation of
21 new, or use of existing, body or bod-
22 ies, for the development and deploy-
23 ment of Next Generation 9–1–1
24 that—

1 “(aa) ensures full notice and
2 opportunity for participation by
3 relevant stakeholders; and

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

7 “(IX) creates efficiencies related
8 to Next Generation 9–1–1 functions,
9 including cybersecurity and the
10 virtualization and sharing of infra-
11 structure, equipment, and services;
12 and

13 “(X) utilizes an effective, com-
14 petitive approach to establishing au-
15 thentication, credentialing, secure con-
16 nections, and access in deploying Next
17 Generation 9–1–1, including by—

18 “(aa) requiring certificate
19 authorities to be capable of cross-
20 certification with other authori-
21 ties;

22 “(bb) avoiding risk of a sin-
23 gle point of failure or vulner-
24 ability; and

1 “(cc) adhering to Federal
2 agency best practices such as
3 those promulgated by the Na-
4 tional Institute of Standards and
5 Technology; and

6 “(B) in the case of an eligible entity that
7 is a Tribal Organization, the Tribal Organiza-
8 tion has complied with clauses (i) and (iii) of
9 subparagraph (A).

10 “(4) CRITERIA.—

11 “(A) IN GENERAL.—Not later than 9
12 months after the date of the enactment of this
13 section, the Assistant Secretary and the Admin-
14 istrator shall issue regulations, after providing
15 the public with notice and an opportunity to
16 comment, prescribing the criteria for selection
17 for grants under this subsection.

18 “(B) REQUIREMENTS.—The criteria
19 shall—

20 “(i) include performance requirements
21 and a schedule for completion of any
22 project to be financed by a grant under
23 this subsection; and

24 “(ii) specifically permit regional or
25 multi-State applications for funds.

1 “(C) UPDATES.—The Assistant Secretary
2 and the Administrator shall update such regula-
3 tions as necessary.

4 “(5) GRANT CERTIFICATIONS.—Each eligible
5 entity shall certify to the Assistant Secretary and
6 the Administrator at the time of application, and
7 each eligible entity that receives such a grant shall
8 certify to the Assistant Secretary and the Adminis-
9 trator annually thereafter during any period of time
10 the funds from the grant are available to the eligible
11 entity, that—

12 “(A) beginning on the date that is 180
13 days before the date on which the application as
14 filed, no portion of any 9–1–1 fee or charge im-
15 posed by the eligible entity (or in the case that
16 the eligible entity is not a State or Tribal orga-
17 nization, any State or taxing jurisdiction within
18 which the eligible entity will carry out, or is
19 carrying out, activities using grant funds) are
20 obligated or expended for a purpose or function
21 not designated under the rules issued pursuant
22 to section 6(f)(3) of the Wireless Communica-
23 tions and Public Safety Act of 1999 (47 U.S.C.
24 615a–1(f)(3))(as such rules are in effect on the

1 date on which the eligible entity makes the cer-
2 tification) as acceptable;

3 “(B) any funds received by the eligible en-
4 tity will be used consistent with subsection
5 (b)(1) to support the deployment of Next Gen-
6 eration 9–1–1 that ensures reliability and inter-
7 operability, by requiring the use of commonly
8 accepted standards;

9 “(C) the eligible entity (or in the case that
10 the eligible entity is not a State or Tribal orga-
11 nization, any State or taxing jurisdiction within
12 which the eligible entity will carry out or is car-
13 rying out activities using grant funds) has es-
14 tablished, or has committed to establish not
15 later than 3 years following the date on which
16 the grant funds are distributed to the eligible
17 entity—

18 “(i) a sustainable funding mechanism
19 for Next Generation 9–1–1; and

20 “(ii) effective cybersecurity resources
21 for Next Generation 9–1–1;

22 “(D) the eligible entity will promote inter-
23 operability between emergency communications
24 centers deploying Next Generation 9–1–1 and
25 emergency response providers, including users

1 of the nationwide public safety broadband net-
2 work;

3 “(E) the eligible entity has or will take
4 steps to coordinate with adjoining States and
5 Tribes to establish and maintain Next Genera-
6 tion 9–1–1; and

7 “(F) the eligible entity has developed a
8 plan for public outreach and education on how
9 the public can best use Next Generation 9–1–
10 1 and on the capabilities and usefulness of Next
11 Generation 9–1–1.

12 “(6) CONDITION OF GRANT.—Each eligible en-
13 tity shall agree, as a condition of receipt of a grant
14 made under this subsection, that if any State or tax-
15 ing jurisdiction within which the eligible entity will
16 carry out activities using grant funds, during any
17 period of time during which the funds from the
18 grant are available to the eligible entity, fails to
19 comply a certification required under paragraph (5),
20 all of the funds from such grant shall be returned
21 to the Office.

22 “(7) PENALTY FOR PROVIDING FALSE INFOR-
23 MATION.—Any eligible entity that provides a certifi-
24 cation under paragraph (5) knowing that the infor-
25 mation provided in the certification was false shall—

1 “(A) not be eligible to receive the grant
2 under this subsection;

3 “(B) return any grant awarded under this
4 subsection; and

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

7 “(8) PROHIBITION.—Grant funds provided
8 under this subsection may not be used—

9 “(A) to support any activity of the First
10 Responder Network Authority; or

11 “(B) to make any payments to a person
12 who has been, for reasons of national security,
13 prohibited by any entity of the Federal Govern-
14 ment from bidding on a contract, participating
15 in an auction, or receiving a grant.

16 “(c) DEFINITIONS.—In this section and sections 160
17 and 161:

18 “(1) 9–1–1 FEE OR CHARGE.—The term ‘9–1–
19 1 fee or charge’ has the meaning given such term in
20 section 6(f)(3)(D) of the Wireless Communications
21 and Public Safety Act of 1999 (47 U.S.C. 615a–
22 1(f)(3)(D)).

23 “(2) 9–1–1 REQUEST FOR EMERGENCY ASSIST-
24 ANCE.—The term ‘9–1–1 request for emergency as-
25 sistance’ means a communication, such as voice,

1 text, picture, multimedia, or any other type of data
2 that is sent to a facility for the purpose of request-
3 ing emergency assistance.

4 “(3) ADMINISTRATOR.—The term ‘Adminis-
5 trator’ means the Administrator of the National
6 Highway Traffic Safety Administration.

7 “(4) COMMONLY ACCEPTED STANDARDS.—The
8 term ‘commonly accepted standards’ mean the tech-
9 nical standards followed by the communications in-
10 dustry for network, device, and Internet Protocol
11 connectivity that—

12 “(A) enable interoperability; and

13 “(B) are—

14 “(i) developed and approved by a
15 standards development organization that is
16 accredited by an American or international
17 standards body (such as the American Na-
18 tional Standards Institute or International
19 Code Council) in a process—

20 “(I) that is open to the public,
21 including open for participation by
22 any person; and

23 “(II) provides for a conflict reso-
24 lution process;

1 “(ii) subject to an open comment and
2 input process before being finalized by the
3 standards development organization;

4 “(iii) consensus-based; and

5 “(iv) made publicly available once ap-
6 proved.

7 “(5) COST RELATED TO TRAINING.—The term
8 ‘cost related to training’ means—

9 “(A) actual wages incurred for travel and
10 attendance, including any necessary overtime
11 pay and backfill wage;

12 “(B) travel expenses;

13 “(C) instructor expenses; or

14 “(D) facility costs and training materials.

15 “(6) ELIGIBLE ENTITY.—The term ‘eligible en-
16 tity’—

17 “(A) means a State or a Tribal organiza-
18 tion (as defined in section 4(l) of the Indian
19 Self-Determination and Education Assistance
20 Act (25 U.S.C. 5304));

21 “(B) may be an entity, including a public
22 authority, board, or commission, established by
23 one or more entities described in subparagraph
24 (A); and

1 “(C) does not include any entity that has
2 failed to submit the certifications required
3 under subsection (b)(4).

4 “(7) EMERGENCY COMMUNICATIONS CENTER.—
5 The term ‘emergency communications center’—

6 “(A) means a facility that—

7 “(i) is designated to receive a 9–1–1
8 request for emergency assistance; and

9 “(ii) performs one or more of the fol-
10 lowing functions—

11 “(I) process and analyze 9–1–1
12 requests for emergency assistance and
13 information and data related to such
14 requests;

15 “(II) dispatch appropriate emer-
16 gency response providers;

17 “(III) transfer or exchange 9–1–
18 1 requests for emergency assistance
19 and information and data related to
20 such requests with one or more facili-
21 ties described under this paragraph
22 and emergency response providers;

23 “(IV) analyze any communica-
24 tions received from emergency re-
25 sponse providers; and

1 “(V) support incident command
2 functions; or

3 “(B) may be a public safety answering
4 point, as defined in section 222 of the Commu-
5 nications Act of 1934 (47 U.S.C. 222).

6 “(8) EMERGENCY RESPONSE PROVIDER.—The
7 term ‘emergency response provider’ has the meaning
8 given that term under section 2 of the Homeland Se-
9 curity Act of 2002 (6 U.S.C. 101).

10 “(9) FIRST RESPONDER NETWORK AUTHOR-
11 ITY.—The term ‘First Responder Network Author-
12 ity’ means the authority established under 6204 of
13 the Middle Class Tax Relief and Job Creation Act
14 of 2012 (47 U.S.C. 1424).

15 “(10) INTEROPERABLE.—The term ‘interoper-
16 able’ or ‘interoperability’ means the capability of
17 emergency communications centers to receive 9–1–1
18 requests for emergency assistance and information/
19 data related to such requests, such as location infor-
20 mation and callback numbers from a person initi-
21 ating the request, then process and share the 9–1–
22 1 requests for emergency assistance and informa-
23 tion/data related to such requests with other emer-
24 gency communications centers and emergency re-
25 sponse providers without the need for proprietary

1 interfaces and regardless of jurisdiction, equipment,
2 device, software, service provider, or other relevant
3 factors.

4 “(11) NATIONWIDE PUBLIC SAFETY
5 BROADBAND NETWORK.—The term ‘nationwide pub-
6 lic safety broadband network’ has the meaning given
7 the term in section 6001 of the Middle Class Tax
8 Relief and Job Creation Act of 2012 (47 U.S.C.
9 1401).

10 “(12) NEXT GENERATION 9–1–1.—The term
11 ‘Next Generation 9–1–1’ means an interoperable, se-
12 cure, Internet Protocol-based system that—

13 “(A) employs commonly accepted stand-
14 ards;

15 “(B) enables emergency communications
16 centers to receive, process, and analyze all types
17 of 9–1–1 requests for emergency assistance;

18 “(C) acquires and integrates additional in-
19 formation useful to handling 9–1–1 requests for
20 emergency assistance; and

21 “(D) supports sharing information related
22 to 9–1–1 requests for emergency assistance
23 among emergency communications centers and
24 emergency response providers.

1 “(13) OFFICE.—The term ‘Office’ means the
2 9–1–1 Implementation Coordination Office estab-
3 lished under section 158.

4 “(14) RELIABILITY.—The term ‘reliability’ or
5 ‘reliable’ means the employment of sufficient meas-
6 ures to ensure the ongoing operation of Next Gen-
7 eration 9–1–1 including through the use of geo-di-
8 verse, device- and network-agnostic elements that
9 provide more than one physical route between end
10 points with no common points where a single failure
11 at that point would cause all to fail.

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

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

23 “(d) SAVINGS PROVISION.—Nothing in this title, or
24 any amendment made by this title, shall affect any appli-
25 cation pending or grant awarded under section 158 of the

1 National Telecommunications and Information Adminis-
2 tration Organization Act (47 U.S.C. 942) before the date
3 of the enactment of this section.

4 **“SEC. 160. ESTABLISHMENT OF NATIONWIDE NEXT GEN-
5 ERATION 9–1–1 CYBERSECURITY CENTER.**

6 “The Assistant Secretary and the Administrator shall
7 establish a Next Generation 9–1–1 Cybersecurity Center
8 to Coordinate with State, local, and regional governments
9 on the sharing of cybersecurity information about, the
10 analysis of cybersecurity threats to, and guidelines for
11 strategies to detect and prevent cybersecurity intrusions
12 relating to Next-Generation 9–1–1.

13 **“SEC. 161. NEXT GENERATION 9–1–1 ADVISORY BOARD.**

14 “(a) NEXT GENERATION 9–1–1 ADVISORY BOARD.—

15 “(1) ESTABLISHMENT.—The Assistant Sec-
16 retary and the Administrator, acting through the Of-
17 fice, shall establish a ‘Public Safety Next Generation
18 9–1–1 Advisory Board’ (in this section referred to as
19 the ‘Board’) to provide recommendations to the Of-
20 fice—

21 “(A) with respect to carrying out the du-
22 ties and responsibilities of the Office in issuing
23 the regulations required under section 159(b);

24 “(B) as required by paragraph (7); and

25 “(C) upon request under paragraph (9).

1 “(2) MEMBERSHIP.—

2 “(A) VOTING MEMBERS.—Not later than
3 120 days after the date of enactment of this
4 section, the Assistant Secretary and the Admin-
5 istrator, acting through the Office, shall ap-
6 point 16 public safety members to the Board, of
7 which—

8 “(i) 4 members shall represent local
9 law enforcement officials;

10 “(ii) 4 members shall represent fire
11 and rescue officials;

12 “(iii) 4 members shall represent emer-
13 gency medical service officials; and

14 “(iv) 4 members shall represent 9–1–
15 1 professionals.

16 “(B) DIVERSITY OF MEMBERSHIP.—Mem-
17 bers shall be representatives of State or Tribes
18 and local governments, chosen to reflect geo-
19 graphic and population density differences as
20 well as public safety organizations at the na-
21 tional level across the United States.

22 “(C) EXPERTISE.—All members shall have
23 specific expertise necessary for developing tech-
24 nical requirements under this section, such as
25 technical expertise, and expertise related to

1 public safety communications and 9-1-1 serv-
2 ices.

3 “(D) RANK AND FILE MEMBERS.—A rank
4 and file member from each of the public safety
5 disciplines listed in clauses (i) through (iv) of
6 subparagraph (A) shall be appointed as a mem-
7 ber of the Board and shall be selected from an
8 organization that represents their public safety
9 discipline at the national level.

10 “(3) PERIOD OF APPOINTMENT.—

11 “(A) IN GENERAL.—Except as provided in
12 subparagraph (B), members of the Board shall
13 serve for a 3-year term.

14 “(B) REMOVAL FOR CAUSE.—A member of
15 the Board may be removed for cause upon the
16 determination of the Assistant Secretary and
17 the Administrator.

18 “(4) VACANCIES.—Any vacancy in the Board
19 shall be filled in the same manner as the original ap-
20 pointment.

21 “(5) QUORUM.—A majority of the members of
22 the Board shall constitute a quorum.

23 “(6) CHAIRPERSON AND VICE CHAIRPERSON.—
24 The Board shall select a Chairperson and Vice

1 Chairperson from among the voting members of the
2 Board.

3 “(7) DUTY OF BOARD TO SUBMIT REC-
4 OMMENDATIONS.—Not later than 120 days after all
5 members of the Board are appointed under para-
6 graph (2), the Board shall submit to the Office rec-
7 ommendations for the following—

8 “(A) deploying Next Generation 9–1–1 in
9 rural and urban areas;

10 “(B) ensuring flexibility in guidance, rules,
11 and grant funding to allow for technology im-
12 provements;

13 “(C) creating efficiencies related to Next
14 Generation 9–1–1, including cybersecurity and
15 the virtualization and sharing of core infra-
16 structure;

17 “(D) enabling effective coordination among
18 State, local, Tribal, and territorial government
19 entities to ensure that the needs of emergency
20 communications centers in both rural and
21 urban areas are taken into account in each im-
22 plementation plan required under section
23 159(b)(2)(A)(iii); and

1 “(E) incorporating existing cybersecurity
2 resources to Next Generation 9–1–1 procure-
3 ment and deployment.

4 “(8) AUTHORITY TO PROVIDE ADDITIONAL REC-
5 OMMENDATIONS.—Except as provided in paragraphs
6 (1) and (7), the Board may provide recommenda-
7 tions to the Office only upon request of the Office.

8 “(9) DURATION OF AUTHORITY.—The Board
9 shall terminate on the date on which funds made
10 available to make grants under section 159(b) are
11 no longer available to be expended.

12 “(10) RULE OF CONSTRUCTION.—Nothing in
13 this section may be construed as limiting the author-
14 ity of the Office to seek comment from stakeholders
15 and the public.”.

16 **SEC. 302. TRANSFER TO NTIA OF SOLE RESPONSIBILITY**
17 **FOR CERTAIN 9–1–1 IMPLEMENTATION CO-**
18 **ORDINATION FUNCTIONS.**

19 (a) TRANSFER.—

20 (1) FUNCTIONS.—There are transferred to the
21 Assistant Secretary all functions that on September
22 30, 2022, are assigned to the Administrator, or
23 jointly to the Assistant Secretary and the Adminis-
24 trator, under section 158, section 159, section 160,
25 and section 161 of the National Telecommunications

1 and Information Administration Organization Act
2 (47 U.S.C. 942).

3 (2) PERSONNEL AND OTHER ASSETS.—The per-
4 sonnel, property, records, and unexpended balances
5 of appropriations, allocations, and other funds em-
6 ployed, used, held, available, or to be made available
7 in connection with a function transferred to the As-
8 sistant Secretary under paragraph (1) shall be
9 transferred to the Assistant Secretary for use in
10 connection with the functions transferred.

11 (3) AUTHORITY OF DIRECTOR OF OMB.—The
12 Director of the Office of Management and Budget,
13 at such time or times as the Director shall provide,
14 may make—

15 (A) such determinations as may be nec-
16 essary with regard to the functions transferred
17 under paragraph (1) and the personnel, prop-
18 erty, records, and unexpended balances of ap-
19 propriations, allocations, and other funds trans-
20 ferred under paragraph (2); and

21 (B) such additional incidental dispositions
22 of personnel, assets, liabilities, grants, con-
23 tracts, property, records, and unexpended bal-
24 ances of appropriations, authorizations, alloca-
25 tions, and other funds held, used, arising from,

1 available to, or to be made available in connec-
2 tion with the functions transferred under para-
3 graph (1), as may be necessary to carry out
4 this section and the amendments made by this
5 section.

6 (b) REFERENCES.—On and after October 1, 2022,
7 in the case of any reference relating to the functions trans-
8 ferred under subsection (a) in any law, regulation, docu-
9 ment, paper, or other record of the United States—

10 (1) if such reference is to the Administrator, or
11 to the Assistant Secretary and the Administrator,
12 such reference shall be deemed to be to the Assistant
13 Secretary; and

14 (2) if such reference is to the National Highway
15 Traffic Safety Administration, or to the National
16 Telecommunications and Information Administration
17 and the National Highway Traffic Safety Adminis-
18 tration, such reference shall be deemed to be to the
19 National Telecommunications and Information Ad-
20 ministration.

21 (c) SAVINGS PROVISIONS.—

22 (1) DOCUMENTS AND ACTIONS.—

23 (A) IN GENERAL.—All documents and ac-
24 tions described in subparagraph (B) shall con-
25 tinue in effect according to their terms until

1 modified, terminated, superseded, set aside, or
2 revoked in accordance with law by the Assistant
3 Secretary, any officer or employee transferred
4 under subsection (a), a court of competent ju-
5 risdiction, or operation of law.

6 (B) DOCUMENTS AND ACTIONS DE-
7 SCRIBED.—A document or action described in
8 this subparagraph is any order, determination,
9 rule, grant, contract, agreement, or other docu-
10 ment or action that—

11 (i) was issued, made, granted, or al-
12 lowed to become effective by the Assistant
13 Secretary, the Administrator, the Assistant
14 Secretary and the Administrator, any offi-
15 cer or employee transferred under sub-
16 section (a), or a court of competent juris-
17 diction, in the performance of any function
18 that is transferred under such subsection;
19 and

20 (ii) is in effect on September 30, 2022
21 (or becomes effective after such day pursu-
22 ant to its terms as in effect on such day).

23 (2) PENDING PROCEEDINGS AND APPLICA-
24 TIONS.—

1 (A) IN GENERAL.—This section and the
2 amendments made by this section shall not af-
3 fect any proceeding or application for any bene-
4 fits, service, license, permit, certificate, or grant
5 or other financial assistance relating to the
6 functions transferred under subsection (a) that
7 was pending on September 30, 2022, before the
8 Assistant Secretary, the Administrator, the As-
9 sistant Secretary and the Administrator, or any
10 officer or employee transferred under such sub-
11 section, but such proceeding or application shall
12 be continued. Orders shall be issued in any such
13 proceeding, and appeals shall be taken there-
14 from, as if this section and the amendments
15 made by this section had not been enacted, and
16 orders issued in any such proceeding shall con-
17 tinue in effect until modified, terminated, su-
18 perseded, or revoked by the Assistant Secretary,
19 any other authorized official, a court of com-
20 petent jurisdiction, or operation of law.

21 (B) SUBSTITUTION.—Notwithstanding
22 subparagraph (A), on and after October 1,
23 2022, any proceeding or application described
24 in such subparagraph that was pending before
25 the Administrator, or before the Assistant Sec-

1 retary and the Administrator, shall be contin-
2 ued as described in such subparagraph before
3 the Assistant Secretary.

4 (C) RULE OF CONSTRUCTION.—Nothing in
5 this paragraph shall be construed to prohibit
6 the discontinuance or modification of any pro-
7 ceeding or application described in subpara-
8 graph (A) under the same terms and conditions
9 and to the same extent that such proceeding or
10 application could have been discontinued or
11 modified if this section and the amendments
12 made by this section had not been enacted.

13 (3) CONTINUATION OF CIVIL ACTIONS.—

14 (A) IN GENERAL.—This section and the
15 amendments made by this section shall not af-
16 fect any civil action relating to the functions
17 transferred under subsection (a) that was com-
18 menced before October 1, 2022, by or against
19 the Assistant Secretary, the Administrator, the
20 Assistant Secretary and the Administrator, or
21 any officer or employee transferred under such
22 subsection. In any such action, proceeding shall
23 be had, appeals taken, and judgment rendered
24 in the same manner and with the same effect

1 as if this section and the amendments made by
2 this section had not been enacted.

3 (B) SUBSTITUTION.—Notwithstanding
4 subparagraph (A), on and after October 1,
5 2022, in the case of any civil action described
6 in such subparagraph by or against the Admin-
7 istrator, or the Assistant Secretary and the Ad-
8 istrator, the Assistant Secretary shall be
9 substituted as a party for the Administrator, or
10 the Assistant Secretary and the Administrator,
11 respectively.

12 (4) NO CHANGE IN STATUS OF PERSONNEL.—
13 In the case of an officer or employee who is trans-
14 ferred to the Assistant Secretary under subsection
15 (a), the officer or employee's grade, compensation,
16 rate of leave, or other benefits that apply with re-
17 spect to such officer or employee at the time of
18 transfer shall not be reduced while such officer or
19 employee remains continuously employed in perform-
20 ance of the functions in connection with which such
21 officer or employee is transferred, other than for
22 cause.

23 (d) CONFORMING AMENDMENTS.—

24 (1) NATIONAL TELECOMMUNICATIONS AND IN-
25 FORMATION ADMINISTRATION ORGANIZATION ACT.—

1 The National Telecommunications and Information
2 Administration Organization Act (47 U.S.C. 942) is
3 amended—

4 (A) in section 158—

5 (i) by striking “and the Adminis-
6 trator” each place it appears; and

7 (ii) in subsection (a)(1), by striking
8 “of the National Highway Traffic Safety
9 Administration”;

10 (B) in section 159, by striking “and the
11 Administrator” each place it appears;

12 (C) in section 160, by striking “and the
13 Administrator” each place it appears; and

14 (2) EFFECTIVE DATE.—The amendments made
15 by this subsection shall take effect on October 1,
16 2022.

17 (e) DEFINITIONS.—In this section:

18 (1) ADMINISTRATOR.—The term “Adminis-
19 trator” means the Administrator of the National
20 Highway Traffic Safety Administration.

21 (2) ASSISTANT SECRETARY.—The term “Assist-
22 ant Secretary” means the Assistant Secretary of
23 Commerce for Communications and Information.

