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2^D SESSION

H. R. 5918

[Report No. 116-]

To direct the Federal Communications Commission to issue reports after activation of the Disaster Information Reporting System and to make improvements to network outage reporting.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2020

Ms. MATSUI (for herself, Ms. ESHOO, Mr. THOMPSON of California, and Mr. HUFFMAN) introduced the following bill; which was referred to the Committee on Energy and Commerce

JULY --, 2020

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on February 14, 2020]

A BILL

To direct the Federal Communications Commission to issue reports after activation of the Disaster Information Reporting System and to make improvements to network outage reporting.

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. REPORTS AFTER ACTIVATION OF DISASTER IN-**
4 **FORMATION REPORTING SYSTEM; IMPROVE-**
5 **MENTS TO NETWORK OUTAGE REPORTING.**

6 *(a) REPORTS AFTER ACTIVATION OF DISASTER INFOR-*
7 *MATION REPORTING SYSTEM.—*

8 *(1) PRELIMINARY REPORT.—*

9 *(A) IN GENERAL.—Not later than 6 weeks*
10 *after the deactivation of the Disaster Information*
11 *Reporting System with respect to an event for*
12 *which the System was activated for at least 7*
13 *days, the Commission shall issue a preliminary*
14 *report on, with respect to such event and to the*
15 *extent known—*

16 *(i) the number and duration of any*
17 *outages of—*

18 *(I) broadband internet access serv-*
19 *ice;*

20 *(II) interconnected VoIP service;*

21 *(III) commercial mobile service;*

22 *and*

23 *(IV) commercial mobile data serv-*
24 *ice;*

1 (ii) the approximate number of users
2 or the amount of communications infra-
3 structure potentially affected by an outage
4 described in clause (i);

5 (iii) the number and duration of any
6 outages at public safety answering points
7 that prevent public safety answering points
8 from receiving emergency calls and routing
9 such calls to emergency service personnel;
10 and

11 (iv) any additional information deter-
12 mined appropriate by the Commission.

13 (B) *DEVELOPMENT OF REPORT.*—The Com-
14 mission shall develop the report required by sub-
15 paragraph (A) using information collected by the
16 Commission, including information collected by
17 the Commission through the System.

18 (2) *PUBLIC FIELD HEARINGS.*—

19 (A) *REQUIREMENT.*—Not later than 8
20 months after the deactivation of the Disaster In-
21 formation Reporting System with respect to an
22 event for which the System was activated for at
23 least 7 days, the Commission shall hold at least
24 1 public field hearing in the area affected by
25 such event.

1 (B) *INCLUSION OF CERTAIN INDIVIDUALS IN*
2 *HEARINGS.—For each public field hearing held*
3 *under subparagraph (A), the Commission shall*
4 *consider including—*

5 (i) *representatives of State government,*
6 *local government, or Indian Tribal govern-*
7 *ments in areas affected by such event;*

8 (ii) *residents of the areas affected by*
9 *such event, or consumer advocates;*

10 (iii) *providers of communications serv-*
11 *ices affected by such event;*

12 (iv) *faculty of institutions of higher*
13 *education;*

14 (v) *representatives of other Federal*
15 *agencies;*

16 (vi) *electric utility providers;*

17 (vii) *communications infrastructure*
18 *companies; and*

19 (viii) *first responders, emergency man-*
20 *agers, or 9–1–1 directors in areas affected*
21 *by such event.*

22 (3) *FINAL REPORT.—Not later than 12 months*
23 *after the deactivation of the Disaster Information Re-*
24 *porting System with respect to an event for which the*
25 *System was activated for at least 7 days, the Com-*

1 *mission shall issue a final report that includes, with*
2 *respect to such event—*

3 *(A) the information described under para-*
4 *graph (1)(A); and*

5 *(B) any recommendations of the Commis-*
6 *sion on how to improve the resiliency of affected*
7 *communications or networks recovery efforts.*

8 *(4) DEVELOPMENT OF REPORTS.—In developing*
9 *a report required under this subsection, the Commis-*
10 *sion shall consider information collected by the Com-*
11 *mission, including information collected by the Com-*
12 *mission through the System, and any public hearing*
13 *described in paragraph (2) with respect to the appli-*
14 *cable event.*

15 *(5) PUBLICATION.—The Commission shall pub-*
16 *lish each report, excluding information that is other-*
17 *wise exempt from public disclosure under the rules of*
18 *the Commission, issued under this subsection on the*
19 *website of the Commission upon the issuance of such*
20 *report.*

21 *(b) IMPROVEMENTS TO NETWORK OUTAGE REPORT-*
22 *ING.—Not later than 1 year after the date of the enactment*
23 *of this Act, the Commission shall conduct a proceeding and,*
24 *after public notice and an opportunity for comment, adopt*
25 *rules to—*

1 (1) *determine the circumstances under which to*
2 *require service providers subject to the 9–1–1 regula-*
3 *tions established under part 9 of title 47, Code of Fed-*
4 *eral Regulations, to submit a timely notification, (in*
5 *an easily accessible format that facilities situational*
6 *awareness) to public safety answering points regard-*
7 *ing communications service disruptions within the*
8 *assigned territories of such public safety answering*
9 *points that prevent—*

10 (A) *the origination of 9–1–1 calls;*

11 (B) *the delivery of Automatic Location In-*
12 *formation; or*

13 (C) *Automatic Number Identification;*

14 (2) *require such notifications to be made; and*

15 (3) *specify the appropriate timing of such notifi-*
16 *cation.*

17 (c) *DEFINITIONS.—In this section:*

18 (1) *AUTOMATIC LOCATION INFORMATION; AUTO-*
19 *MATIC NUMBER IDENTIFICATION.—The terms “Auto-*
20 *matic Location Information” and “Automatic Num-*
21 *ber Identification” have the meaning given those*
22 *terms in section 9.3 of title 47, Code of Federal Regu-*
23 *lations, or any successor regulation.*

24 (2) *BROADBAND INTERNET ACCESS SERVICE.—*

25 *The term “broadband internet access service” has the*

1 *meaning given such term in section 8.1(b) of title 47,*
2 *Code of Federal Regulations, or any successor regula-*
3 *tion.*

4 (3) *COMMERCIAL MOBILE SERVICE.*—*The term*
5 *“commercial mobile service” has the meaning given*
6 *such term in section 332(d) of the Communications*
7 *Act of 1934 (47 U.S.C. 332(d)).*

8 (4) *COMMERCIAL MOBILE DATA SERVICE.*—*The*
9 *term “commercial mobile data service” has the mean-*
10 *ing given such term in section 6001 of the Middle*
11 *Class Tax Relief and Job Creation Act of 2012 (47*
12 *U.S.C. 1401).*

13 (5) *COMMISSION.*—*The term “Commission”*
14 *means the Federal Communications Commission.*

15 (6) *INDIAN TRIBAL GOVERNMENT; LOCAL GOV-*
16 *ERNMENT.*—*The terms “Indian Tribal government”*
17 *and “Indian Tribal Government” have the meaning*
18 *given those terms in section 102 of the Robert T. Staf-*
19 *ford Disaster Relief and Emergency Assistance Act*
20 *(42 U.S.C. 5121).*

21 (7) *INTERCONNECTED VOIP SERVICE.*—*The term*
22 *“interconnected VoIP service” has the meaning given*
23 *such term in section 3 of the Communications Act of*
24 *1934 (47 U.S.C. 153).*

1 (8) *PUBLIC SAFETY ANSWERING POINT.*—*The*
2 *term “public safety answering point” has the mean-*
3 *ing given such term in section 222 of the Communica-*
4 *tions Act of 1934 (47 U.S.C. 222).*

5 (9) *STATE.*—*The term “State” has the meaning*
6 *given such term in section 3 of the Communications*
7 *Act of 1934 (47 U.S.C. 153).*