

## Union Calendar No.

116TH CONGRESS  
2D 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.

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## 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 italic]

[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;*

(ii) the approximate number of users or the amount of communications infrastructure potentially affected by an outage described in clause (i);

(iv) any additional information determined appropriate by the Commission.

(B) DEVELOPMENT OF REPORT.—The Commission shall develop the report required by subparagraph (A) using information collected by the Commission, including information collected by the Commission through the System.

18 (2) PUBLIC FIELD HEARINGS.—

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

- (i) representatives of State government, local government, or Indian Tribal governments in areas affected by such event;
- (ii) residents of the areas affected by such event, or consumer advocates;
- (iii) providers of communications services affected by such event;
- (iv) faculty of institutions of higher education;
- (v) representatives of other Federal agencies;
- (vi) electric utility providers;
- (vii) communications infrastructure companies; and
- (viii) first responders, emergency managers, or 9–1–1 directors in areas affected by such event.

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 regulations  
3 established under part 9 of title 47, Code of Federal  
4 Regulations, to submit a timely notification, (in  
5 an easily accessible format that facilitates 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).*