

[Committee Print]

[SHOWING THE TEXT OF H.R. 7624 AS FORWARDED BY THE SUBCOMMITTEE
ON COMMUNICATIONS AND TECHNOLOGY ON JUNE 15, 2022]

117TH CONGRESS
2D SESSION

H. R. 7624

To make available additional frequencies in the 3.1–3.45 GHz band for non-Federal use, shared Federal and non-Federal use, or a combination thereof, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2022

Mr. MICHAEL F. DOYLE of Pennsylvania (for himself, Mr. LATTA, Ms. MATSUI, Mr. BILIRAKIS, Ms. ESHOO, Mr. CARTER of Georgia, Mr. O'HALLERAN, Mr. DUNCAN, Ms. SCHRIER, Mr. UPTON, Mr. McEACHIN, Mr. HUDSON, Mr. WELCH, Mr. GUTHRIE, Ms. SCHAKOWSKY, Mr. LONG, Ms. DEGETTE, Mr. KINZINGER, Ms. KUSTER, Mr. WALBERG, and Mr. McNERNEY) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To make available additional frequencies in the 3.1–3.45 GHz band for non-Federal use, shared Federal and non-Federal use, or a combination thereof, 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,*

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 implemen-
tation coordination functions.

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

8 **SEC. 101. SPECTRUM AUCTIONS AND INNOVATION.**

9 (a) **DEFINITIONS.**—In this section:

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

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

15 (3) **COVERED BAND.**—The term “covered
16 band” means the band of frequencies between 3100
17 megahertz and 3450 megahertz, inclusive.

18 (4) **FEDERAL ENTITY.**—The term “Federal en-
19 tity” has the meaning given such term in section

1 113(l) of the National Telecommunications and In-
2 formation Administration Organization Act (47
3 U.S.C. 923(l)).

4 (5) RELEVANT CONGRESSIONAL COMMIT-
5 TEES.—The term “relevant congressional commit-
6 tees” means—

7 (A) the Committee on Energy and Com-
8 merce of the House of Representatives;

9 (B) the Committee on Commerce, Science,
10 and Transportation of the Senate;

11 (C) the Committee on Armed Services of
12 the House of Representatives; and

13 (D) the Committee on Armed Services of
14 the Senate.

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

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

22 (b) 3.1–3.45 GHz BAND.—

23 (1) PIPELINE FUNDING.—

24 (A) IN GENERAL.—Immediately following
25 the approval under subparagraph (E) of sub-

1 section (g)(2) of section 118 of the National
2 Telecommunications and Information Adminis-
3 tration Organization Act (47 U.S.C. 928) of a
4 plan submitted under subparagraph (D)(i)(I) of
5 such subsection by a Federal entity with oper-
6 ations in the covered band, the Director of the
7 Office of Management and Budget shall trans-
8 fer to such Federal entity from the Spectrum
9 Relocation Fund established under such section
10 \$50,000,000 for such Federal entity to carry
11 out activities described in subparagraph (A) of
12 such subsection in order to make available the
13 entire covered band for non-Federal use, shared
14 Federal and non-Federal use, or a combination
15 thereof, including by making available—

16 (i) frequencies in the covered band for
17 identification by the Secretary under para-
18 graph (2)(A); and

19 (ii) frequencies in the covered band
20 for identification by the Secretary under
21 paragraph (2)(B).

22 (B) EXEMPTION.—Section
23 118(g)(2)(D)(ii) of the National Telecommuni-
24 cations and Information Administration Organi-
25 zation Act (47 U.S.C. 928(g)(2)(D)(ii)) shall

1 not apply with respect to the payment required
2 under subparagraph (A).

3 (C) OVERSIGHT.—The Assistant Secretary
4 and the Executive Office of the President shall
5 continuously review and provide oversight of the
6 activities carried out using a payment under
7 subparagraph (A).

8 (D) REPORT TO SECRETARY OF COM-
9 MERCE AND CONGRESS.—Not later than 18
10 months after the date of enactment of this Act,
11 for the purposes of aiding the Secretary in
12 making the identification under paragraph (2)
13 and informed by the activities carried out using
14 a payment under subparagraph (A), any Fed-
15 eral entity receiving such a payment, in con-
16 sultation with the Assistant Secretary and the
17 Executive Office of the President, shall submit
18 to the Secretary and the relevant congressional
19 committees a report that—

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

22 (ii) recommends—

23 (I) frequencies in the covered
24 band for identification by the Sec-
25 retary under paragraph (2)(A); and

1 (II) frequencies in the covered
2 band for identification by the Sec-
3 retary under paragraph (2)(B).

4 (2) IDENTIFICATION.—Not later than 24
5 months after the date of enactment of this Act, in-
6 formed by the activities carried out using a payment
7 under paragraph (1)(A) and the report required
8 under paragraph (1)(D), the Secretary, in consulta-
9 tion with the Secretary of Defense, the Director of
10 the Office of Science and Technology Policy, and the
11 Commission, shall submit to the President, the Com-
12 mission, and the relevant congressional committees a
13 report that—

14 (A) identifies for inclusion in a system of
15 competitive bidding under paragraph (3) at
16 least 200 megahertz of frequencies in the cov-
17 ered band for non-Federal use, shared Federal
18 and non-Federal use, or a combination thereof;
19 and

20 (B) identifies additional frequencies in the
21 covered band that could be made available for
22 non-Federal use, shared Federal and non-Fed-
23 eral use, or a combination thereof.

24 (3) AUCTION.—

1 (A) IN GENERAL.—Not later than 7 years
2 after the date of enactment of this Act, the
3 Commission, in coordination with the Assistant
4 Secretary, shall commence a system of competi-
5 tive bidding under section 309(j) of the Com-
6 munications Act of 1934 (47 U.S.C. 309(j)), in
7 accordance with paragraph (2) of this sub-
8 section, of the frequencies identified under sub-
9 paragraph (A) of that paragraph.

10 (B) PROHIBITION.—No entity that is on
11 the list required by section 2 of the Secure and
12 Trusted Communications Networks Act of 2019
13 (47 U.S.C. 1601) may participate in the system
14 of competitive bidding required by subpara-
15 graph (A).

16 (C) SCOPE.—The Commission may not in-
17 clude in the system of competitive bidding re-
18 quired by subparagraph (A) any frequencies
19 that are not in the covered band.

20 (D) DEPOSIT OF PROCEEDS.—Notwith-
21 standing subparagraphs (A), (C)(i), and (D) of
22 section 309(j)(8) of the Communications Act of
23 1934 (47 U.S.C. 309(j)(8)) and except as pro-
24 vided in subparagraph (B) of such section, the
25 proceeds (including deposits and upfront pay-

1 ments from successful bidders) of the system of
2 competitive bidding required by subparagraph
3 (A) of this paragraph (in this subparagraph re-
4 ferred to as the “covered proceeds”) shall be
5 deposited or available as follows:

6 (i) Such amount of the covered pro-
7 ceeds as is necessary to cover the reloca-
8 tion or sharing costs of Federal entities re-
9 located from or sharing the frequencies
10 identified under paragraph (2)(A) of this
11 subsection shall be deposited in the Spec-
12 trum Relocation Fund established under
13 section 118 of the National Telecommuni-
14 cations and Information Administration
15 Organization Act (47 U.S.C. 928).

16 (ii) After the amount required to be
17 deposited by clause (i) is so deposited,
18 \$3,400,000,000 (or such lesser amount as
19 remains) of the covered proceeds shall be
20 available to the Commission until expended
21 to make reimbursements under section 4 of
22 the Secure and Trusted Communications
23 Networks Act of 2019 (47 U.S.C. 1603).

24 (iii) After the amount required to be
25 made available by clause (ii) is so made

1 available, any remainder of the covered
2 proceeds (but not more than
3 \$10,000,000,000 of any such remainder)
4 shall be available to the Assistant Sec-
5 retary until expended to carry out title III
6 of this Act and the amendments made by
7 such title, except that not more than 4 per-
8 cent of the amount made available by this
9 clause may be used for administrative pur-
10 poses (including carrying out sections 160
11 and 161 of the National Telecommuni-
12 cations and Information Administration
13 Organization Act, as added by such title).

14 (4) MODIFICATION OR WITHDRAWAL.—

15 (A) IN GENERAL.—The President shall
16 modify or withdraw any assignment to a Fed-
17 eral Government station of the frequencies iden-
18 tified under paragraph (2)(A) to accommodate
19 non-Federal use, shared Federal and non-Fed-
20 eral use, or a combination thereof in accordance
21 with that paragraph.

22 (B) LIMITATIONS.—The President may not
23 modify or withdraw any assignment to a Fed-
24 eral Government station as described in sub-
25 paragraph (A)—

1 (i) unless the President determines
2 that such modification or withdrawal will
3 not compromise the primary mission of a
4 Federal entity operating in the covered
5 band; or

6 (ii) before November 30, 2024.

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

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

21 (c) FCC AUCTION AUTHORITY.—

22 (1) TERMINATION.—Section 309(j)(11) of the
23 Communications Act of 1934 (47 U.S.C. 309(j)(11))
24 is amended by striking “2025” and all that follows
25 and inserting “2025, and with respect to the electro-

1 magnetic spectrum identified under section
2 101(b)(2)(A) of the Spectrum Innovation Act of
3 2022, such authority shall expire on the date that is
4 7 years after the date of enactment of that Act.”.

5 (2) SPECTRUM PIPELINE ACT OF 2015.—Section
6 1004 of the Spectrum Pipeline Act of 2015 (Public
7 Law 114–74; 129 Stat. 621; 47 U.S.C. 921 note) is
8 amended—

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

11 (B) in subsection (b)(1), by striking
12 “2022” and inserting “2024”.

13 (d) REPEAL.—Section 90008 of the Infrastructure
14 Investment and Jobs Act (Public Law 117–58; 135 Stat.
15 1348; 47 U.S.C. 921 note), and the item relating to such
16 section in the table of contents in section 1(b) of such Act,
17 are repealed.

18 **TITLE II—SECURE AND TRUSTED**
19 **COMMUNICATIONS NET-**
20 **WORKS REIMBURSEMENT**
21 **PROGRAM**

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

23 Section 4(k) of the Secure and Trusted Communica-
24 tions Networks Act of 2019 (47 U.S.C. 1603(k)) is

1 amended by striking “\$1,900,000,000” and inserting
2 “\$5,300,000,000”.

3 **TITLE III—NEXT GENERATION 9–**
4 **1–1**

5 **SEC. 301. FURTHER DEPLOYMENT AND COORDINATION OF**
6 **NEXT GENERATION 9–1–1.**

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

12 (1) in subsection (a)—

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

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

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

18 “(A) ADDITIONAL DUTIES.—The Office
19 shall—

20 “(i) take actions, in concert with the
21 coordinators designated in accordance with
22 section 159(b)(2)(A)(ii), to improve coordi-
23 nation and communication with respect to
24 the implementation of Next Generation 9–
25 1–1;

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

5 “(iii) advise and assist eligible entities
6 in the preparation of implementation plans
7 required under section 159(b)(2)(A)(iii);

8 “(iv) provide technical assistance to
9 eligible entities provided a grant under sec-
10 tion 159(b) in support of efforts to explore
11 efficiencies related to Next Generation 9–
12 1–1;

13 “(v) receive, review, and recommend
14 to the Assistant Secretary and the Admin-
15 istrator the approval or disapproval of ap-
16 plications for grants under section 159(b);
17 and

18 “(vi) oversee the use of funds pro-
19 vided by such grants in fulfilling such im-
20 plementation plans.

21 “(B) ANNUAL REPORTS.—Not later than
22 October 1, 2023, and each year thereafter until
23 funds made available to make grants under sec-
24 tion 159(b) are no longer available to be ex-
25 pended, the Assistant Secretary and the Admin-

1 istrator shall submit to Congress a report on
2 the activities conducted by the Office under
3 subparagraph (A) in the year preceding the
4 submission of the report.”; and

5 (2) in subsection (d)(2), by striking “section”
6 each place it appears and inserting “section (except
7 for paragraphs (1) and (4) of subsection (a) and for
8 subsection (e))”.

9 (b) **COORDINATION OF NEXT GENERATION 9-1-1**
10 **IMPLEMENTATION.**—Part C of the National Tele-
11 communications and Information Administration Organi-
12 zation Act (47 U.S.C. 901 et seq.) is amended by adding
13 at the end the following:

14 **“SEC. 159. COORDINATION OF NEXT GENERATION 9-1-1 IM-**
15 **PLEMENTATION.**

16 “(a) **ADDITIONAL FUNCTIONS OF 9-1-1 IMPLEMEN-**
17 **TATION COORDINATION OFFICE.**—

18 “(1) **MANAGEMENT PLAN.**—

19 “(A) **DEVELOPMENT.**—The Assistant Sec-
20 retary and the Administrator shall develop a
21 management plan for the grant program estab-
22 lished under this section, including by devel-
23 oping—

24 “(i) plans related to the organiza-
25 tional structure of such program; and

1 “(ii) funding profiles for each fiscal
2 year of the duration of such program.

3 “(B) SUBMISSION TO CONGRESS.—Not
4 later than 180 days after the date of the enact-
5 ment of this section, the Assistant Secretary
6 and the Administrator shall—

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

9 “(I) the Committees on Com-
10 merce, Science, and Transportation
11 and Appropriations of the Senate; and

12 “(II) the Committees on Energy
13 and Commerce and Appropriations of
14 the House of Representatives; and

15 “(ii) publish the management plan de-
16 veloped under subparagraph (A) on the
17 website of the National Telecommuni-
18 cations and Information Administration.

19 “(2) MODIFICATION OF PLAN.—

20 “(A) MODIFICATION.—The Assistant Sec-
21 retary and the Administrator may modify the
22 management plan developed under paragraph
23 (1)(A).

24 “(B) SUBMISSION.—Not later than 90
25 days after the plan is modified under subpara-

1 graph (A), the Assistant Secretary and the Ad-
2 ministrator shall—

3 “(i) submit the modified plan to—

4 “(I) the Committees on Com-
5 merce, Science, and Transportation
6 and Appropriations of the Senate; and

7 “(II) the Committees on Energy
8 and Commerce and Appropriations of
9 the House of Representatives; and

10 “(ii) publish the modified plan on the
11 website of the National Telecommuni-
12 cations and Information Administration.

13 “(b) NEXT GENERATION 9–1–1 IMPLEMENTATION
14 GRANTS.—

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

18 “(A) implementing Next Generation 9–1–
19 1;

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

21 “(C) training directly related to imple-
22 menting, maintaining, and operating Next Gen-
23 eration 9–1–1 if the cost related to the training
24 does not exceed 3 percent of the total grant
25 award;

1 “(D) public outreach and education on how
2 the public can best use Next Generation 9–1–
3 1 and the capabilities and usefulness of Next
4 Generation 9–1–1;

5 “(E) administrative costs associated with
6 planning and implementation of Next Genera-
7 tion 9–1–1, including any cost related to plan-
8 ning for and preparing an application and re-
9 lated materials as required by this subsection,
10 if—

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

13 “(ii) the cost is reasonable, necessary,
14 and does not exceed 1 percent of the total
15 grant award; and

16 “(F) costs associated with implementing
17 cybersecurity measures at emergency commu-
18 nications centers or with respect to Next Gen-
19 eration 9–1–1.

20 “(2) APPLICATION.—In providing grants under
21 paragraph (1), the Assistant Secretary and the Ad-
22 ministrator, acting through the Office, shall require
23 an eligible entity to submit to the Office an applica-
24 tion, at the time and in the manner determined by
25 the Assistant Secretary and the Administrator, and

1 containing the certification required by paragraph
2 (3).

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

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

8 “(i) has coordinated the application
9 with the emergency communications cen-
10 ters located within the jurisdiction of the
11 entity;

12 “(ii) has designated a single officer or
13 governmental body to serve as the State
14 point of contact to coordinate the imple-
15 mentation of Next Generation 9–1–1 for
16 that State, except that such designation
17 need not vest such officer or governmental
18 body with direct legal authority to imple-
19 ment Next Generation 9–1–1 or to manage
20 emergency communications operations; and

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

1 “(I) ensures interoperability by
2 requiring the use of commonly accept-
3 ed standards;

4 “(II) ensures reliable operations;

5 “(III) enables emergency commu-
6 nications centers to process, analyze,
7 and store multimedia, data, and other
8 information;

9 “(IV) incorporates cybersecurity
10 tools, including intrusion detection
11 and prevention measures;

12 “(V) includes strategies for co-
13 ordinating cybersecurity information
14 sharing between Federal, State, Trib-
15 al, and local government partners;

16 “(VI) uses open and competitive
17 request for proposal processes, includ-
18 ing through shared government pro-
19 curement vehicles, for deployment of
20 Next Generation 9-1-1;

21 “(VII) documents how input was
22 received and accounted for from rel-
23 evant rural and urban emergency
24 communications centers, regional au-

1 thorities, local authorities, and Tribal
2 authorities;

3 “(VIII) includes a governance
4 body or bodies, either by creation of
5 new, or use of existing, body or bod-
6 ies, for the development and deploy-
7 ment of Next Generation 9–1–1
8 that—

9 “(aa) ensures full notice and
10 opportunity for participation by
11 relevant stakeholders; and

12 “(bb) consults and coordi-
13 nates with the State point of con-
14 tact required by clause (ii);

15 “(IX) creates efficiencies related
16 to Next Generation 9–1–1 functions,
17 including cybersecurity and the
18 virtualization and sharing of infra-
19 structure, equipment, and services;
20 and

21 “(X) utilizes an effective, com-
22 petitive approach to establishing au-
23 thentication, credentialing, secure con-
24 nections, and access in deploying Next
25 Generation 9–1–1, including by—

1 “(aa) requiring certificate
2 authorities to be capable of cross-
3 certification with other authori-
4 ties;

5 “(bb) avoiding risk of a sin-
6 gle point of failure or vulner-
7 ability; and

8 “(cc) adhering to Federal
9 agency best practices such as
10 those promulgated by the Na-
11 tional Institute of Standards and
12 Technology; and

13 “(B) in the case of an eligible entity that
14 is a Tribal Organization, the Tribal Organiza-
15 tion has complied with clauses (i) and (iii) of
16 subparagraph (A).

17 “(4) CRITERIA.—

18 “(A) IN GENERAL.—Not later than 9
19 months after the date of the enactment of this
20 section, the Assistant Secretary and the Admin-
21 istrator shall issue regulations, after providing
22 the public with notice and an opportunity to
23 comment, prescribing the criteria for selection
24 for grants under this subsection.

1 “(B) REQUIREMENTS.—The criteria
2 shall—

3 “(i) include performance requirements
4 and a schedule for completion of any
5 project to be financed by a grant under
6 this subsection; and

7 “(ii) specifically permit regional or
8 multi-State applications for funds.

9 “(C) UPDATES.—The Assistant Secretary
10 and the Administrator shall update such regula-
11 tions as necessary.

12 “(5) GRANT CERTIFICATIONS.—Each eligible
13 entity shall certify to the Assistant Secretary and
14 the Administrator at the time of application, and
15 each eligible entity that receives such a grant shall
16 certify to the Assistant Secretary and the Adminis-
17 trator annually thereafter during any period of time
18 the funds from the grant are available to the eligible
19 entity, that—

20 “(A) beginning on the date that is 180
21 days before the date on which the application as
22 filed, no portion of any 9–1–1 fee or charge im-
23 posed by the eligible entity (or in the case that
24 the eligible entity is not a State or Tribal orga-
25 nization, any State or taxing jurisdiction within

1 which the eligible entity will carry out, or is
2 carrying out, activities using grant funds) are
3 obligated or expended for a purpose or function
4 not designated under the rules issued pursuant
5 to section 6(f)(3) of the Wireless Communica-
6 tions and Public Safety Act of 1999 (47 U.S.C.
7 615a–1(f)(3))(as such rules are in effect on the
8 date on which the eligible entity makes the cer-
9 tification) as acceptable;

10 “(B) any funds received by the eligible en-
11 tity will be used consistent with subsection
12 (b)(1) to support the deployment of Next Gen-
13 eration 9–1–1 that ensures reliability and inter-
14 operability, by requiring the use of commonly
15 accepted standards;

16 “(C) the eligible entity (or in the case that
17 the eligible entity is not a State or Tribal orga-
18 nization, any State or taxing jurisdiction within
19 which the eligible entity will carry out or is car-
20 rying out activities using grant funds) has es-
21 tablished, or has committed to establish not
22 later than 3 years following the date on which
23 the grant funds are distributed to the eligible
24 entity—

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

3 “(ii) effective cybersecurity resources
4 for Next Generation 9–1–1;

5 “(D) the eligible entity will promote inter-
6 operability between emergency communications
7 centers deploying Next Generation 9–1–1 and
8 emergency response providers, including users
9 of the nationwide public safety broadband net-
10 work;

11 “(E) the eligible entity has or will take
12 steps to coordinate with adjoining States and
13 Tribes to establish and maintain Next Genera-
14 tion 9–1–1; and

15 “(F) the eligible entity has developed a
16 plan for public outreach and education on how
17 the public can best use Next Generation 9–1–
18 1 and on the capabilities and usefulness of Next
19 Generation 9–1–1.

20 “(6) CONDITION OF GRANT.—Each eligible en-
21 tity shall agree, as a condition of receipt of a grant
22 made under this subsection, that if any State or tax-
23 ing jurisdiction within which the eligible entity will
24 carry out activities using grant funds, during any
25 period of time during which the funds from the

1 grant are available to the eligible entity, fails to
2 comply a certification required under paragraph (5),
3 all of the funds from such grant shall be returned
4 to the Office.

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

9 “(A) not be eligible to receive the grant
10 under this subsection;

11 “(B) return any grant awarded under this
12 subsection; and

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

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

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

19 “(B) to make any payments to a person
20 who has been, for reasons of national security,
21 prohibited by any entity of the Federal Govern-
22 ment from bidding on a contract, participating
23 in an auction, or receiving a grant.

24 “(c) DEFINITIONS.—In this section and sections 160
25 and 161:

1 “(1) 9-1-1 FEE OR CHARGE.—The term ‘9-1-1-
2 1 fee or charge’ has the meaning given such term in
3 section 6(f)(3)(D) of the Wireless Communications
4 and Public Safety Act of 1999 (47 U.S.C. 615a-
5 1(f)(3)(D)).

6 “(2) 9-1-1 REQUEST FOR EMERGENCY ASSIST-
7 ANCE.—The term ‘9-1-1 request for emergency as-
8 sistance’ means a communication, such as voice,
9 text, picture, multimedia, or any other type of data
10 that is sent to a facility for the purpose of request-
11 ing emergency assistance.

12 “(3) ADMINISTRATOR.—The term ‘Adminis-
13 trator’ means the Administrator of the National
14 Highway Traffic Safety Administration.

15 “(4) COMMONLY ACCEPTED STANDARDS.—The
16 term ‘commonly accepted standards’ mean the tech-
17 nical standards followed by the communications in-
18 dustry for network, device, and Internet Protocol
19 connectivity that—

20 “(A) enable interoperability; and

21 “(B) are—

22 “(i) developed and approved by a
23 standards development organization that is
24 accredited by an American or international
25 standards body (such as the American Na-

1 tional Standards Institute or International
2 Code Council) in a process—

3 “(I) that is open to the public,
4 including open for participation by
5 any person; and

6 “(II) provides for a conflict reso-
7 lution process;

8 “(ii) subject to an open comment and
9 input process before being finalized by the
10 standards development organization;

11 “(iii) consensus-based; and

12 “(iv) made publicly available once ap-
13 proved.

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

16 “(A) actual wages incurred for travel and
17 attendance, including any necessary overtime
18 pay and backfill wage;

19 “(B) travel expenses;

20 “(C) instructor expenses; or

21 “(D) facility costs and training materials.

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

24 “(A) means a State or a Tribal organiza-
25 tion (as defined in section 4(l) of the Indian

1 Self-Determination and Education Assistance
2 Act (25 U.S.C. 5304));

3 “(B) may be an entity, including a public
4 authority, board, or commission, established by
5 one or more entities described in subparagraph
6 (A); and

7 “(C) does not include any entity that has
8 failed to submit the certifications required
9 under subsection (b)(4).

10 “(7) EMERGENCY COMMUNICATIONS CENTER.—

11 The term ‘emergency communications center’—

12 “(A) means a facility that—

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

15 “(ii) performs one or more of the fol-
16 lowing functions—

17 “(I) process and analyze 9–1–1
18 requests for emergency assistance and
19 information and data related to such
20 requests;

21 “(II) dispatch appropriate emer-
22 gency response providers;

23 “(III) transfer or exchange 9–1–
24 1 requests for emergency assistance
25 and information and data related to

1 such requests with one or more facili-
2 ties described under this paragraph
3 and emergency response providers;

4 “(IV) analyze any communica-
5 tions received from emergency re-
6 sponse providers; and

7 “(V) support incident command
8 functions; or

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

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

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

21 “(10) INTEROPERABLE.—The term ‘interoper-
22 able’ or ‘interoperability’ means the capability of
23 emergency communications centers to receive 9–1–1
24 requests for emergency assistance and information/
25 data related to such requests, such as location infor-

1 mation and callback numbers from a person initi-
2 ating the request, then process and share the 9–1–
3 1 requests for emergency assistance and informa-
4 tion/data related to such requests with other emer-
5 gency communications centers and emergency re-
6 sponse providers without the need for proprietary
7 interfaces and regardless of jurisdiction, equipment,
8 device, software, service provider, or other relevant
9 factors.

10 “(11) NATIONWIDE PUBLIC SAFETY
11 BROADBAND NETWORK.—The term ‘nationwide pub-
12 lic safety broadband network’ has the meaning given
13 the term in section 6001 of the Middle Class Tax
14 Relief and Job Creation Act of 2012 (47 U.S.C.
15 1401).

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

19 “(A) employs commonly accepted stand-
20 ards;

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

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

4 “(D) supports sharing information related
5 to 9–1–1 requests for emergency assistance
6 among emergency communications centers and
7 emergency response providers.

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

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

19 “(15) STATE.—The term ‘State’ means any
20 State of the United States, the District of Columbia,
21 Puerto Rico, American Samoa, Guam, the United
22 States Virgin Islands, the Northern Mariana Is-
23 lands, and any other territory or possession of the
24 United States.

1 9–1–1 Advisory Board’ (in this section referred to as
2 the ‘Board’) to provide recommendations to the Of-
3 fice—

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

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

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

9 “(2) MEMBERSHIP.—

10 “(A) VOTING MEMBERS.—Not later than
11 120 days after the date of enactment of this
12 section, the Assistant Secretary and the Admin-
13 istrator, acting through the Office, shall ap-
14 point 16 public safety members to the Board, of
15 which—

16 “(i) 4 members shall represent local
17 law enforcement officials;

18 “(ii) 4 members shall represent fire
19 and rescue officials;

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

22 “(iv) 4 members shall represent 9–1–
23 1 professionals.

24 “(B) DIVERSITY OF MEMBERSHIP.—Mem-
25 bers shall be representatives of State or Tribes

1 and local governments, chosen to reflect geo-
2 graphic and population density differences as
3 well as public safety organizations at the na-
4 tional level across the United States.

5 “(C) EXPERTISE.—All members shall have
6 specific expertise necessary for developing tech-
7 nical requirements under this section, such as
8 technical expertise, and expertise related to
9 public safety communications and 9–1–1 serv-
10 ices.

11 “(D) RANK AND FILE MEMBERS.—A rank
12 and file member from each of the public safety
13 disciplines listed in clauses (i) through (iv) of
14 subparagraph (A) shall be appointed as a mem-
15 ber of the Board and shall be selected from an
16 organization that represents their public safety
17 discipline at the national level.

18 “(3) PERIOD OF APPOINTMENT.—

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

22 “(B) REMOVAL FOR CAUSE.—A member of
23 the Board may be removed for cause upon the
24 determination of the Assistant Secretary and
25 the Administrator.

1 “(4) VACANCIES.—Any vacancy in the Board
2 shall be filled in the same manner as the original ap-
3 pointment.

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

6 “(6) CHAIRPERSON AND VICE CHAIRPERSON.—
7 The Board shall select a Chairperson and Vice
8 Chairperson from among the voting members of the
9 Board.

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

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

17 “(B) ensuring flexibility in guidance, rules,
18 and grant funding to allow for technology im-
19 provements;

20 “(C) creating efficiencies related to Next
21 Generation 9–1–1, including cybersecurity and
22 the virtualization and sharing of core infra-
23 structure;

24 “(D) enabling effective coordination among
25 State, local, Tribal, and territorial government

1 entities to ensure that the needs of emergency
2 communications centers in both rural and
3 urban areas are taken into account in each im-
4 plementation plan required under section
5 159(b)(2)(A)(iii); and

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

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

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

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

21 **SEC. 302. TRANSFER TO NTIA OF SOLE RESPONSIBILITY**
22 **FOR CERTAIN 9-1-1 IMPLEMENTATION CO-**
23 **ORDINATION FUNCTIONS.**

24 (a) TRANSFER.—

1 (1) FUNCTIONS.—There are transferred to the
2 Assistant Secretary all functions that on September
3 30, 2022, are assigned to the Administrator, or
4 jointly to the Assistant Secretary and the Adminis-
5 trator, under section 158, section 159, section 160,
6 and section 161 of the National Telecommunications
7 and Information Administration Organization Act
8 (47 U.S.C. 942).

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

17 (3) AUTHORITY OF DIRECTOR OF OMB.—The
18 Director of the Office of Management and Budget,
19 at such time or times as the Director shall provide,
20 may make—

21 (A) such determinations as may be nec-
22 essary with regard to the functions transferred
23 under paragraph (1) and the personnel, prop-
24 erty, records, and unexpended balances of ap-

1 appropriations, allocations, and other funds trans-
2 ferred under paragraph (2); and

3 (B) such additional incidental dispositions
4 of personnel, assets, liabilities, grants, con-
5 tracts, property, records, and unexpended bal-
6 ances of appropriations, authorizations, alloca-
7 tions, and other funds held, used, arising from,
8 available to, or to be made available in connec-
9 tion with the functions transferred under para-
10 graph (1), as may be necessary to carry out
11 this section and the amendments made by this
12 section.

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

17 (1) if such reference is to the Administrator, or
18 to the Assistant Secretary and the Administrator,
19 such reference shall be deemed to be to the Assistant
20 Secretary; and

21 (2) if such reference is to the National Highway
22 Traffic Safety Administration, or to the National
23 Telecommunications and Information Administration
24 and the National Highway Traffic Safety Adminis-
25 tration, such reference shall be deemed to be to the

1 National Telecommunications and Information Ad-
2 ministration.

3 (c) SAVINGS PROVISIONS.—

4 (1) DOCUMENTS AND ACTIONS.—

5 (A) IN GENERAL.—All documents and ac-
6 tions described in subparagraph (B) shall con-
7 tinue in effect according to their terms until
8 modified, terminated, superseded, set aside, or
9 revoked in accordance with law by the Assistant
10 Secretary, any officer or employee transferred
11 under subsection (a), a court of competent ju-
12 risdiction, or operation of law.

13 (B) DOCUMENTS AND ACTIONS DE-
14 SCRIBED.—A document or action described in
15 this subparagraph is any order, determination,
16 rule, grant, contract, agreement, or other docu-
17 ment or action that—

18 (i) was issued, made, granted, or al-
19 lowed to become effective by the Assistant
20 Secretary, the Administrator, the Assistant
21 Secretary and the Administrator, any offi-
22 cer or employee transferred under sub-
23 section (a), or a court of competent juris-
24 diction, in the performance of any function

1 that is transferred under such subsection;
2 and

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

6 (2) PENDING PROCEEDINGS AND APPLICA-
7 TIONS.—

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

1 any other authorized official, a court of com-
2 petent jurisdiction, or operation of law.

3 (B) SUBSTITUTION.—Notwithstanding
4 subparagraph (A), on and after October 1,
5 2022, any proceeding or application described
6 in such subparagraph that was pending before
7 the Administrator, or before the Assistant Sec-
8 retary and the Administrator, shall be contin-
9 ued as described in such subparagraph before
10 the Assistant Secretary.

11 (C) RULE OF CONSTRUCTION.—Nothing in
12 this paragraph shall be construed to prohibit
13 the discontinuance or modification of any pro-
14 ceeding or application described in subpara-
15 graph (A) under the same terms and conditions
16 and to the same extent that such proceeding or
17 application could have been discontinued or
18 modified if this section and the amendments
19 made by this section had not been enacted.

20 (3) CONTINUATION OF CIVIL ACTIONS.—

21 (A) IN GENERAL.—This section and the
22 amendments made by this section shall not af-
23 fect any civil action relating to the functions
24 transferred under subsection (a) that was com-
25 menced before October 1, 2022, by or against

1 the Assistant Secretary, the Administrator, the
2 Assistant Secretary and the Administrator, or
3 any officer or employee transferred under such
4 subsection. In any such action, proceeding shall
5 be had, appeals taken, and judgment rendered
6 in the same manner and with the same effect
7 as if this section and the amendments made by
8 this section had not been enacted.

9 (B) SUBSTITUTION.—Notwithstanding
10 subparagraph (A), on and after October 1,
11 2022, in the case of any civil action described
12 in such subparagraph by or against the Admin-
13 istrator, or the Assistant Secretary and the Ad-
14 ministrator, the Assistant Secretary shall be
15 substituted as a party for the Administrator, or
16 the Assistant Secretary and the Administrator,
17 respectively.

18 (4) NO CHANGE IN STATUS OF PERSONNEL.—
19 In the case of an officer or employee who is trans-
20 ferred to the Assistant Secretary under subsection
21 (a), the officer or employee's grade, compensation,
22 rate of leave, or other benefits that apply with re-
23 spect to such officer or employee at the time of
24 transfer shall not be reduced while such officer or
25 employee remains continuously employed in perform-

1 ance of the functions in connection with which such
2 officer or employee is transferred, other than for
3 cause.

4 (d) CONFORMING AMENDMENTS.—

5 (1) NATIONAL TELECOMMUNICATIONS AND IN-
6 FORMATION ADMINISTRATION ORGANIZATION ACT.—

7 The National Telecommunications and Information
8 Administration Organization Act (47 U.S.C. 942) is
9 amended—

10 (A) in section 158—

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

13 (ii) in subsection (a)(1), by striking
14 “of the National Highway Traffic Safety
15 Administration”;

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

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

20 (2) EFFECTIVE DATE.—The amendments made
21 by this subsection shall take effect on October 1,
22 2022.

23 (e) DEFINITIONS.—In this section:

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

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