“(6) STATE OR LOCAL ENTITY.—The term ‘State or local entity’ means a State or political subdivision thereof, any agency, authority, or instrumentality of a State or political subdivision thereof, or an Indian Tribe (as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e))).”.

Subtitle E—Next Generation 9–1–1

SEC. 15001. FURTHER DEPLOYMENT OF NEXT GENERATION 9–1–1

9–1–1.

(a) FINDINGS.—Congress finds the following:

(1) The 9–1–1 systems of the United States, while a model for the entire world, lack the advanced functionality, interoperability, reliability, and capabilities that come with the adoption of new digital communications technologies.

(2) Communications technologies currently available to the public, including first responders and other public safety personnel, have substantially outpaced the legacy communications technologies still used by most emergency communications centers in the 9–1–1 systems of the United States.

(3) This lack of modern technology, when coupled with other challenges, is impacting the ability of
the 9–1–1 systems of the United States to efficiently and effectively provide responses to emergencies.

(4) Modernizing the 9–1–1 systems of the United States to incorporate the new and evolving capabilities of broadband voice and data communications is essential for the safety and security of the public, including first responders and other public safety personnel.

(5) Efforts to modernize the 9–1–1 systems of the United States to date, while laudable and important, have been limited due to a lack of funding and inconsistent or unclear policies related to the governance, deployment, and operations of Next Generation 9–1–1.

(6) A nationwide strategy for Next Generation 9–1–1 has become essential to help guide the transition and create a common framework for implementation of Next Generation 9–1–1 while preserving State, regional, and local control over the governance and technology choices of the 9–1–1 systems of the United States.

(7) Accelerated implementation of Next Generation 9–1–1 will—

(A) increase compatibility with emerging communications trends;
(B) enhance the flexibility, reliability, and survivability of the 9–1–1 systems of the United States during major incidents;

(C) improve emergency response for the public, including first responders and other public safety personnel;

(D) promote the interoperability of the 9–1–1 systems of the United States with emergency response providers including users of the Nationwide Public Safety Broadband Network being deployed by the First Responder Network Authority; and

(E) increase the cost effectiveness of operating the 9–1–1 systems of the United States.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the 9–1–1 professionals in the United States perform important and lifesaving work every day, and need the tools and communications technologies to perform the work effectively in a world with digital communications technologies;

(2) the transition from the legacy communications technologies used in the 9–1–1 systems of the United States to Next Generation 9–1–1 is a national priority and a national imperative;
(3) the United States should complete the transition described in paragraph (2) as soon as practicable;

(4) the United States should develop a nationwide framework that facilitates cooperation among Federal, State, and local officials on deployment of Next Generation 9–1–1 in order to meet that goal;

(5) the term “Public Safety Answering Point” becomes outdated in a broadband environment and 9–1–1 centers are increasingly and appropriately being referred to as emergency communications centers; and

(6) 9–1–1 authorities and emergency communications centers should have sufficient resources to implement Next Generation 9–1–1, including resources to support associated geographic information systems (commonly known as “GIS”), and cybersecurity measures.

(c) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) Next Generation 9–1–1 should be technologically and competitively neutral;

(2) Next Generation 9–1–1 should be interoperable and reliable;
(3) the governance and control of the 9–1–1 systems of the United States, including Next Generation 9–1–1, should remain at the State, regional, and local level; and

(4) individuals in the United States should receive information on how to best utilize Next Generation 9–1–1 and on its capabilities and usefulness.

(d) COORDINATION OF NEXT GENERATION 9–1–1 IMPLEMENTATION.—Part C of title I of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 901 et seq.) is amended by adding at the end the following:

“SEC. 159. COORDINATION OF NEXT GENERATION 9–1–1 IMPLEMENTATION.

“(a) ADDITIONAL FUNCTIONS OF 9–1–1 IMPLEMENTATION COORDINATION OFFICE.—

“(1) AUTHORITY.—The Office shall implement the provisions of this section.

“(2) MANAGEMENT PLAN.—

“(A) DEVELOPMENT.—The Assistant Secretary and the Administrator shall develop and may modify a management plan for the grant program established under this section, including by developing—
“(i) plans related to the organizational structure of such program; and

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

“(B) Submission to Congress.—Not later than 90 days after the date of the enactment of this section or 90 days after the date on which the plan is modified, as applicable, the Assistant Secretary and the Administrator shall submit the management plan developed or modified, as applicable, under subparagraph (A) to—

“(i) the Committees on Commerce, Science, and Transportation and Appropriations of the Senate; and

“(ii) the Committees on Energy and Commerce and Appropriations of the House of Representatives.

“(3) Purpose of Office.—The Office shall—

“(A) take actions, in concert with coordinators designated in accordance with subsection (b)(2)(A)(ii), to improve coordination and communication with respect to the implementation of Next Generation 9–1–1;
“(B) develop, collect, and disseminate information concerning practices, procedures, and technology used in the implementation of Next Generation 9–1–1;

“(C) advise and assist eligible entities in the preparation of implementation plans required under subsection (b)(2)(A)(iii);

“(D) provide technical assistance to grantees in support of efforts to explore efficiencies related to Next Generation 9–1–1 functions;

“(E) receive, review, and recommend the approval or disapproval of applications for grants under subsection (b); and

“(F) oversee the use of funds provided by such grants in fulfilling such implementation plans.

“(4) ANNUAL REPORTS.—Not later than October 1 of each year, the Assistant Secretary and the Administrator shall submit to Congress a report on the activities of the Office to meet the requirements described under paragraph (3) for the previous year.

“(5) NATIONWIDE NEXT GENERATION 9–1–1 SECURITY OPERATIONS CENTER.—
“(A) Establishment.—There is established within the Office the Nationwide Next Generation 9–1–1 Security Operations Center.

“(B) Organization.—The Office shall consider the recommendations of the Next Generation 9–1–1 Advisory Board established under section 160 in selecting the appropriate personnel to best fulfill the Center’s mission.

“(C) Mission.—The Center shall—

“(i) serve as a centralized emergency communications cybersecurity center that has the ability to provide integrated intrusion, detection and prevention services at multiple levels and layers, in support of local operations;

“(ii) provide forensic data to cyber responders and investigators in the event of an incident;

“(iii) activate pre-planned mitigation measures as agreed upon with emergency communications centers and as appropriate during a cyber incident;

“(iv) assist application vendors and third parties with a public safety mission, such as mental health hotlines, telehealth
providers, vehicle telematics provider, and alarm companies, in ensuring secure connectivity and providing vetted and secure services; and

“(v) assist Federal, State, and local law enforcement in identifying cyber criminals whether located in the United States or internationally.

“(b) Next Generation 9-1-1 Implementation Grants.—

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

“(A) the implementation of Next Generation 9-1-1;

“(B) establishing and maintaining Next Generation 9-1-1;

“(C) training directly related to Next Generation 9-1-1 if—

“(i) the cost related to the training does not exceed 3 percent of the total grant award, or up to 5 percent of the total grant award if sufficiently justified to the Office; and

“(ii) permissible costs may include—
“(I) actual wages incurred for travel and attendance, including any necessary overtime pay and backfill wage;

“(II) travel expenses;

“(III) instructor expenses; and

“(IV) facility costs and training materials.

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

“(E) administrative cost associated with planning and implementation of Next Generation 9–1–1, including any cost related to planning for and preparing an application and related materials as required by this subsection, if—

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

“(ii) the cost is reasonable, necessary, and does not exceed 1 percent of the total grant award for an eligible entity and 1 percent of the total grant award for an emergency communications center.
“(2) COORDINATION REQUIRED.—In providing grants under paragraph (1), the Assistant Secretary and the Administrator, acting through the Office, shall require an eligible entity to certify in the application that—

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

“(i) has coordinated the application with the emergency communications centers located within the jurisdiction of the entity;

“(ii) has designated a single officer or governmental body to serve as the State point of contact to coordinate the implementation of Next Generation 9–1–1 for that State, except that such designation need not vest such coordinator with direct legal authority to implement Next Generation 9–1–1 or to manage emergency communications operations; and

“(iii) has developed and submitted a plan for the coordination and implementation of Next Generation 9–1–1 that—
“(I) ensures interoperability by requiring the use of commonly accepted standards;

“(II) ensures reliable operations;

“(III) enables emergency communications centers to process, analyze, and store multimedia, data, and other information;

“(IV) incorporates the use of effective cybersecurity resources;

“(V) uses open and competitive request for proposal processes, including through shared government procurement vehicles, for deployment of Next Generation 9–1–1;

“(VI) documents how input was received and accounted for from relevant rural and urban emergency communications centers, regional authorities, local authorities, and Tribal authorities;

“(VII) includes a governance body or bodies, either by creation of new or use of existing body or bodies,
for the development and deployment of Next Generation 9–1–1 that—

"(aa) ensures full notice and opportunity for participation by relevant stakeholders; and

"(bb) consults and coordinates with the State point of contact required by clause (ii);

"(VIII) creates efficiencies related to Next Generation 9–1–1 functions, including cybersecurity and the virtualization and sharing of infrastructure, equipment, and services; and

"(IX) that an effective, competitive approach to establishing authentication, credentialing, secure connections, and access is utilized, including by—

"(aa) requiring certificate authorities to be capable of cross-certification with other authorities;
“(bb) avoiding risk of a single point of failure or vulnerability; and

“(cc) adhering to Federal agency best practices such as those promulgated by the National Institute of Standards and Technology; and

“(B) in the case of an eligible entity that is a Tribal Organization, the Tribal Organization has complied with clauses (i) and (iii) of subparagraph (A), and the State in which the Tribal Organization is located has complied with clause (ii) of such subparagraph.

“(3) CRITERIA.—

“(A) IN GENERAL.—Not later than 9 months after the date of the enactment of this section, the Assistant Secretary and the Administrator shall issue regulations, after providing the public with notice and an opportunity to comment, prescribing the criteria for selection for grants under this subsection.

“(B) REQUIREMENTS.—The criteria shall—
“(i) include performance requirements and a schedule for completion of any project to be financed by a grant under this subsection; and

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

“(C) UPDATES.—The Assistant Secretary and the Administrator shall update such regulations as necessary.

“(4) GRANT CERTIFICATIONS.—Each applicant for a grant under this subsection shall certify to the Assistant Secretary and the Administrator at the time of application, and each applicant that receives such a grant shall certify to the Assistant Secretary and the Administrator annually thereafter during any period of time the funds from the grant are available to the applicant, that—

“(A) no portion of any designated 9–1–1 charges imposed by a State or other taxing jurisdiction within which the applicant is located are being obligated or expended for any purpose other than the purposes for which such charges are designated or presented during the period beginning 180 days immediately preceding the date on which the application was filed and con-
continuing through the period of time during which
the funds from the grant are available to the
applicant;

“(B) any funds received by the applicant
will be used to support deployment of Next
Generation 9–1–1 that ensures reliability and,
by requiring the use of commonly accepted
standards, interoperability;

“(C) the State in which the applicant re-
side has established, or has committed to es-
ablish no later than 3 years following the date
on which the funds are distributed to the appli-
cant, a sustainable funding mechanism for Next
Generation 9–1–1 and effective cybersecurity
resources to be deployed pursuant to the grant;

“(D) the applicant will promote interoper-
ability between Next Generation 9–1–1 emer-
gency communications centers and emergency
response providers including users of the na-
tionwide public safety broadband network im-
plemented by the First Responder Network Au-
thority;

“(E) the applicant has or will take steps to
coordinate with adjoining States to establish
and maintain Next Generation 9–1–1; and
“(F) the applicant has developed a plan for public outreach and education on how to best use Next Generation 9–1–1 and on its capabilities and usefulness.

“(5) CONDITION OF GRANT.—Each applicant for a grant under this subsection shall agree, as a condition of receipt of the grant, that if the State or other taxing jurisdiction within which the applicant is located, during any period of time during which the funds from the grant are available to the applicant, fails to comply with the certifications required under paragraph (4), all of the funds from such grant shall be returned to the Office.

“(6) PENALTY FOR PROVIDING FALSE INFORMATION.—Any applicant that provides a certification under paragraph (5) knowing that the information provided in the certification was false shall—

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

“(B) return any grant awarded under this subsection during the time that the certification was not valid; and

“(C) not be eligible to receive any subsequent grants under this subsection.
“(7) PROHIBITION.—Grants provided under this subsection may not be used—

“(A) for any component of the Nationwide Public Safety Broadband Network; or

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

“(8) FUNDING AND TERMINATION.—In addition to any funds authorized for grants under section 158, there is authorized to be appropriated $15,000,000,000 for fiscal years 2022 through 2026, of which $24,000,000 may be used by the Office for reasonable and necessary administrative costs associated with the grant program and to establish the Nationwide Next Generation 9–1–1 Security Operations Center under subsection (a)(5).

“(c) DEFINITIONS.—In this section and section 160:

“(1) 9–1–1 REQUEST FOR EMERGENCY ASSISTANCE.—The term ‘9–1–1 request for emergency assistance’ means a communication, such as voice, text, picture, multimedia, or any other type of data that is sent to an emergency communications center for the purpose of requesting emergency assistance.
“(2) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the National Highway Traffic Safety Administration.

“(3) COMMONLY ACCEPTED STANDARDS.—The term ‘commonly accepted standards’ means the technical standards followed by the communications industry for network, device, and Internet Protocol connectivity that enable interoperability, including but not limited to—

“(A) standards developed by the Third Generation Partnership Project (3GPP), the Institute of Electrical and Electronics Engineers (IEEE), the Alliance for Telecommunications Industry Solutions (ATIS), the Internet Engineering Taskforce (IETF), and the International Telecommunications Union (ITU); and

“(B) standards approved by the American National Standards Institute (ANSI) that meet the definition of interoperable within this section.

“(4) DESIGNATED 9–1–1 CHARGES.—The term ‘designated 9–1–1 charges’ means any taxes, fees, or other charges imposed by a State or other taxing jurisdiction that are designated or presented as dedicated to deliver or improve 9–1–1 services, E9–1–1
services (as defined in section 158(e)), or Next Generation 9–1–1.

“(5) ELIGIBLE ENTITY.—The term ‘eligible entity’—

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

“(B) includes public authorities, boards, commissions, and similar bodies created by one or more eligible entities described in subparagraph (A) to coordinate or provide Next Generation 9–1–1; and

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

“(6) EMERGENCY COMMUNICATIONS CENTER.—The term ‘emergency communications center’ means a facility that is designated to receive a 9–1–1 request for emergency assistance and perform one or more of the following functions:

“(A) Process and analyze 9–1–1 requests for emergency assistance and other gathered information.
“(B) Dispatch appropriate emergency response providers.

“(C) Transfer or exchange 9–1–1 requests for emergency assistance and other gathered information with other emergency communications centers and emergency response providers.

“(D) Analyze any communications received from emergency response providers.

“(E) Support incident command functions.


“(8) INTEROPERABLE.—The term ‘interoperable’ or ‘interoperability’ means the capability of emergency communications centers to receive 9–1–1 requests for emergency assistance and related data such as location information and callback numbers from the public, then process and share the 9–1–1 requests for emergency assistance and related data with other emergency communications centers and emergency response providers without the need for proprietary interfaces and regardless of jurisdiction, equipment, device, software, service provider, or other relevant factors.
“(9) NATIONWIDE.—The term ‘nationwide’ means each State of the United States, the District of Columbia, Puerto Rico, American Samoa, Guam, the United States Virgin Islands, the Northern Mariana Islands, any other territory or possession of the United States, and each federally recognized Indian Tribe.

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

“(11) NEXT GENERATION 9–1–1.—The term Next Generation 9–1–1 means an interoperable, secure, Internet Protocol-based system that—

“(A) employs commonly accepted standards;

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

“(C) acquires and integrates additional information useful to handling 9–1–1 requests for emergency assistance; and
“(D) supports sharing information related to 9–1–1 requests for emergency assistance among emergency communications centers and emergency response providers.

“(12) OFFICE.—The term ‘Office’ means the Next Generation 9–1–1 Implementation Coordination Office established under section 158.

“(13) RELIABILITY.—The term ‘reliability’ or ‘reliable’ means the employment of sufficient measures to ensure the ongoing operation of Next Generation 9–1–1 including through the use of geodiverse, device- and network-agnostic elements that provide more than one physical route between end points with no common points where a single failure at that point would cause all to fail.

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

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

“SEC. 160. ESTABLISHMENT OF NEXT GENERATION 9-1-1
ADVISORY BOARD.

“(a) ESTABLISHMENT.—The Assistant Secretary and
Administrator, acting through the Office, shall establish
a ‘Next Generation 9–1–1 Advisory Board’ (in this section
referred to as the ‘Board’) to advise the Office in carrying
out its duties and responsibilities under this section and
section 159.

“(b) MEMBERSHIP.—

“(1) VOTING MEMBERS.—Not later than 30
days after the date of enactment of this section, the
Assistant Secretary and Administrator, acting
through the Office, shall appoint 16 public safety
members to the Board, of which—

“(A) 4 members shall be representative of
local law enforcement officials;

“(B) 4 members shall be representative of
fire and rescue officials;

“(C) 4 members shall be representative of
emergency medical service officials; and

“(D) 4 members shall be representative of
9–1–1 professionals.
“(2) DIVERSITY OF MEMBERSHIP.—Members shall be representatives of State and local governments, chosen to reflect geographic and population density differences as well as public safety organizations at the national level across the United States.

“(3) EXPERTISE.—All members shall have specific expertise necessary for developing technical requirements under this section, such as technical expertise, and public safety communications and 9–1–1 expertise.

“(4) RANK AND FILE MEMBERS.—A rank and file member from each of the public safety disciplines listed in subparagraphs (A), (B), and (C), of paragraph (1) shall be appointed as a voting member of the Board and shall be selected from an organization that represents their public safety discipline at the national level.

“(c) PERIOD OF APPOINTMENT.—

“(1) IN GENERAL.—Except as provided in paragraph (2), members of the Board shall be appointed for the life of the Board.

“(2) REMOVAL FOR CAUSE.—A member of the Board may be removed for cause upon the determination of the Assistant Secretary and Administrator.
“(d) VACANCIES.—Any vacancy in the Board shall be filled in the same manner as the original appointment.

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

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

“(g) DUTIES OF THE BOARD.—Not later than 120 days after the date of the enactment of this section, the Board shall submit to the Office recommendations concerning:

“(1) the importance of deploying Next Generation 9–1–1 in rural and urban areas;

“(2) the importance of ensuring flexibility in guidance, rules, and grant funding to allow for technology improvements;

“(3) the value of creating efficiencies related to Next Generation 9–1–1 functions, including cybersecurity and the virtualization and sharing of core infrastructure;

“(4) the value of enabling effective coordination among State, local, Tribal, and territorial government entities to ensure that the needs of emergency communications centers in both rural and urban areas are taken into account in each plan for the co-
ordination and implementation of Next Generation 9–1–1; and

“(5) the relevance of existing cybersecurity resources to Next Generation 9–1–1 procurement and deployment.

“(h) CONSIDERATION BY THE OFFICE.—The Office shall consider the recommendations of the Board as the Office carries out the responsibilities of the Office under this section.

“(i) EXEMPTION FROM FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board.

“(j) DURATION OF AUTHORITY.—The Board shall remain in place throughout the period that grant funds are authorized under section 159(b)(1) to provide additional advice from time to time to the Office.”.

(e) SAVINGS PROVISION.—Nothing in this section or any amendment made by this section shall affect any application pending or grant awarded under section 158 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942) before the date of the enactment of this section.