

118TH CONGRESS  
1ST SESSION

# S. 2712

To provide funding for the deployment of Next Generation 9–1–1, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 27, 2023

Ms. KLOBUCHAR (for herself and Ms. CORTEZ MASTO) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To provide funding for the deployment of Next Generation 9–1–1, 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,*

3 **SECTION 1. DEPLOYMENT OF NEXT GENERATION 9–1–1.**

4 (a) APPROPRIATION.—

5 (1) IN GENERAL.—In addition to amounts oth-  
6 erwise available, there is appropriated to the Assist-  
7 ant Secretary for fiscal year 2024, out of any money  
8 in the Treasury not otherwise appropriated,  
9 \$10,000,000,000, to remain available until Sep-  
10 tember 30, 2030, to make grants to eligible entities

1 for implementing Next Generation 9–1–1, operating  
2 and maintaining Next Generation 9–1–1, training  
3 directly related to implementing, maintaining, and  
4 operating Next Generation 9–1–1, if the cost related  
5 to such training does not exceed 3 percent of the  
6 total grant award, and planning and implementation  
7 activities, if the cost related to such planning and  
8 implementation does not exceed 1 percent of the  
9 total grant award.

10 (2) ADMINISTRATIVE EXPENSES.—Of the  
11 amount appropriated in this subsection, the Assist-  
12 ant Secretary may use not more than 2 percent to  
13 implement and administer this section.

14 (3) RULEMAKING REQUIRED.—Not later than  
15 180 days after the date of the enactment of this Act,  
16 the Assistant Secretary shall, after public notice and  
17 opportunity for comment, issue rules to implement  
18 this section.

19 (b) ELIGIBILITY.—

20 (1) IN GENERAL.—The Assistant Secretary  
21 shall not make a grant under this section to any eli-  
22 gible entity unless such entity certifies to the Assist-  
23 ant Secretary that—

24 (A) no portion of any 9–1–1 fee or charge  
25 imposed by the eligible entity, or (in the case

1 that the eligible entity is not a covered State or  
2 Tribal organization) any State or taxing juris-  
3 diction within which the eligible entity will carry  
4 out activities using grant funds, will be obli-  
5 gated or expended for any purpose or function  
6 other than a purpose or function for which the  
7 obligation or expenditure of such a fee or  
8 charge is acceptable (as determined by the Fed-  
9 eral Communications Commission pursuant to  
10 the rules issued under section 6(f)(3) of the  
11 Wireless Communications and Public Safety  
12 Act of 1999 (47 U.S.C. 615a-1(f)(3)), as such  
13 rules are in effect on the date on which the eli-  
14 gible entity makes the certification) during any  
15 period during which the funds from the grant  
16 are available to the eligible entity;

17 (B) any funds received by the eligible enti-  
18 ty will be used to support the deployment of  
19 Next Generation 9-1-1 in a manner that en-  
20 sures reliability and interoperability and re-  
21 quires the use of commonly accepted standards;

22 (C) the eligible entity has established, or  
23 commits to establish not later than 3 years  
24 after the date on which the funds are distrib-  
25 uted to the eligible entity, a sustainable funding

1 mechanism for Next Generation 9–1–1 and ef-  
2 fective cybersecurity for Next Generation 9–1–  
3 1; and

4 (D) no funds received by the eligible entity  
5 will be used to purchase, rent, lease, or other-  
6 wise obtain covered communications equipment  
7 or services (as defined in section 9 of the Se-  
8 cure and Trusted Communications Networks  
9 Act of 2019 (47 U.S.C. 1608)).

10 (2) OTHER REQUIREMENTS.—The Assistant  
11 Secretary shall not make a grant under this section  
12 to an eligible entity unless such entity certifies to  
13 the Assistant Secretary that—

14 (A) the eligible entity, and (in the case  
15 that the eligible entity is not a covered State or  
16 Tribal organization) any covered State within  
17 which the eligible entity will carry out activities  
18 using grant funds, has designated a single offi-  
19 cer or governmental body to serve as the point  
20 of contact to coordinate the implementation of  
21 Next Generation 9–1–1 for such covered State  
22 or Tribal organization; and

23 (B) the eligible entity has developed and  
24 submitted a plan for the coordination and im-  
25 plementation of Next Generation 9–1–1 con-

1           sistent with the requirements of the Assistant  
2           Secretary that, at a minimum—

3                   (i) ensures interoperability, reliability,  
4                   resiliency, and the use of commonly accept-  
5                   ed standards;

6                   (ii) enables emergency communica-  
7                   tions centers to process, analyze, and store  
8                   multimedia, data, and other information;

9                   (iii) incorporates cybersecurity tools,  
10                  including intrusion detection and preven-  
11                  tion measures;

12                  (iv) includes strategies for coordi-  
13                  nating cybersecurity information sharing  
14                  between Federal, covered State, Tribal,  
15                  and local government partners;

16                  (v) includes a governance body or bod-  
17                  ies, either by creation of a new body or  
18                  bodies or use of an existing body or bodies,  
19                  for the development and deployment of  
20                  Next Generation 9–1–1;

21                  (vi) creates efficiencies related to Next  
22                  Generation 9–1–1 functions, including the  
23                  virtualization and sharing of infrastruc-  
24                  ture, equipment, and services; and

1 (vii) utilizes an effective, competitive  
2 approach to establishing authentication,  
3 credentialing, secure connections, and ac-  
4 cess in deploying Next Generation 9–1–1,  
5 including by—

6 (I) requiring certificate authori-  
7 ties to be capable of cross-certification  
8 with other authorities;

9 (II) avoiding risk of a single  
10 point of failure or vulnerability; and

11 (III) adhering to Federal agency  
12 best practices such as those promul-  
13 gated by the National Institute of  
14 Standards and Technology.

15 (3) RETURN OF FUNDING.—If, after making a  
16 grant award to an eligible entity under subsection  
17 (a), the Assistant Secretary determines that such eli-  
18 gible entity has acted in a manner not in accordance  
19 with the certifications required under this sub-  
20 section, the Assistant Secretary shall, after affording  
21 due process, rescind such grant award and recoup  
22 funds from such eligible entity.

23 (c) OVERSIGHT.—In addition to amounts otherwise  
24 available, there is appropriated to the Inspector General  
25 of the Department of Commerce for fiscal year 2024, out

1 of any money in the Treasury not otherwise appropriated,  
2 \$10,000,000, to remain available until September 30,  
3 2032, to conduct oversight to combat waste, fraud, and  
4 abuse of grant awards made under this section.

5 **SEC. 2. ESTABLISHMENT OF NEXT GENERATION 9-1-1 CY-**  
6 **BERSECURITY CENTER.**

7 In addition to amounts otherwise available, there is  
8 appropriated to the Assistant Secretary for fiscal year  
9 2024, out of any money in the Treasury not otherwise ap-  
10 propriated, \$80,000,000, to remain available until Sep-  
11 tember 30, 2032, to establish a Next Generation 9-1-1  
12 Cybersecurity Center to coordinate with covered State,  
13 local, and regional governments on the sharing of cyberse-  
14 curity information about, the analysis of cybersecurity  
15 threats to, and guidelines for strategies to detect and pre-  
16 vent cybersecurity intrusions relating to Next Generation  
17 9-1-1.

18 **SEC. 3. PUBLIC SAFETY NEXT GENERATION 9-1-1 ADVISORY**  
19 **BOARD.**

20 In addition to amounts otherwise available, there is  
21 appropriated to the Assistant Secretary for fiscal year  
22 2024, out of any money in the Treasury not otherwise ap-  
23 propriated, \$10,000,000, to remain available until Sep-  
24 tember 30, 2032, to establish a 16-member Public Safety  
25 Next Generation 9-1-1 Advisory Board, to be comprised

1 of representatives of public safety organizations, to pro-  
2 vide recommendations to the Assistant Secretary with re-  
3 spect to carrying out the duties and responsibilities of the  
4 Assistant Secretary related to Next Generation 9–1–1, in-  
5 cluding with respect to the grant program established pur-  
6 suant to section 1.

7 **SEC. 4. DEFINITIONS.**

8 In this Act:

9 (1) 9–1–1 FEE OR CHARGE.—The term “9–1–  
10 1 fee or charge” has the meaning given such term  
11 in section 6(f)(3)(D) of the Wireless Communica-  
12 tions and Public Safety Act of 1999 (47 U.S.C.  
13 615a–1(f)(3)(D)).

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

17 (3) COMMONLY ACCEPTED STANDARDS.—The  
18 term “commonly accepted standards” means the  
19 technical standards followed by the communications  
20 industry for network, device, and Internet Protocol  
21 connectivity that—

22 (A) enable interoperability; and

23 (B) are—

24 (i) developed and approved by a  
25 standards development organization that is



1 accredited by a United States or inter-  
2 national standards body in a process  
3 that—

4 (I) is open to the public, includ-  
5 ing being open for participation by  
6 any organization; and

7 (II) provides for a conflict resolu-  
8 tion process;

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

12 (iii) consensus-based; and

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

15 (4) COST RELATED TO PLANNING AND IMPLE-  
16 MENTATION.—The term “cost related to planning  
17 and implementation” means any cost incurred by an  
18 eligible entity related to planning for and preparing  
19 an application and related materials as required  
20 under this Act.

21 (5) COVERED STATE.—The term “covered  
22 State” means any State of the United States, the  
23 District of Columbia, Puerto Rico, American Samoa,  
24 Guam, the United States Virgin Islands, the North-

1 ern Mariana Islands, and any other territory or pos-  
2 session of the United States.

3 (6) ELIGIBLE ENTITY.—The term “eligible enti-  
4 ty”—

5 (A) means a covered State or a Tribal or-  
6 ganization; and

7 (B) includes an entity, including a public  
8 authority, board, or commission, established by  
9 one or more entities described in subparagraph  
10 (A).

11 (7) EMERGENCY COMMUNICATIONS CENTER.—

12 (A) IN GENERAL.—The term “emergency  
13 communications center”—

14 (i) means a facility that—

15 (I) is designated to receive a 9-  
16 1-1 request for emergency assistance;  
17 and

18 (II) performs one or more of the  
19 functions described in subparagraph  
20 (B); and

21 (ii) includes a public safety answering  
22 point, as defined in section 222 of the  
23 Communications Act of 1934 (47 U.S.C.  
24 222).

1 (B) FUNCTIONS DESCRIBED.—The func-  
2 tions described in this subparagraph are the fol-  
3 lowing:

4 (i) Process and analyze 9–1–1 re-  
5 quests for emergency assistance and infor-  
6 mation and data related to such requests.

7 (ii) Dispatch appropriate emergency  
8 response providers.

9 (iii) Transfer or exchange 9–1–1 re-  
10 quests for emergency assistance and infor-  
11 mation and data related to such requests  
12 with one or more facilities described under  
13 this paragraph and emergency response  
14 providers.

15 (iv) Analyze any communications re-  
16 ceived from emergency response providers.

17 (v) Support incident command func-  
18 tions.

19 (8) INTEROPERABLE; INTEROPERABILITY.—The  
20 term “interoperable” or “interoperability” means the  
21 capability of emergency communications centers to  
22 receive 9–1–1 requests for emergency assistance and  
23 information and data related to such requests, such  
24 as location information and callback numbers from  
25 a person initiating the request, and then process and

1 share the 9–1–1 requests for emergency assistance  
2 and information and data related to such requests  
3 with other emergency communications centers and  
4 emergency response providers without the need for  
5 proprietary interfaces and regardless of jurisdiction,  
6 equipment, device, software, service provider, or  
7 other factors.

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

11 (A) employs commonly accepted standards;

12 (B) enables emergency communications  
13 centers to receive, process, and analyze all types  
14 of 9–1–1 requests for emergency assistance;

15 (C) acquires and integrates additional in-  
16 formation useful to handling 9–1–1 requests for  
17 emergency assistance; and

18 (D) supports sharing information related  
19 to 9–1–1 requests for emergency assistance  
20 among emergency communications centers and  
21 emergency response providers.

22 (10) PUBLIC SAFETY ORGANIZATION.—The  
23 term “public safety organization” means an organi-  
24 zation that represents the interests of personnel in—

25 (A) local law enforcement;

- 1 (B) fire and rescue;  
2 (C) emergency medical service; or  
3 (D) 9–1–1 services.

4 (11) RELIABILITY.—The term “reliability”  
5 means the employment of sufficient measures to en-  
6 sure the ongoing operation of Next Generation 9–1–  
7 1, including through the use of geo-diverse, device-  
8 and network-agnostic elements that provide more  
9 than one physical route between end points with no  
10 common points where a single failure at that point  
11 would cause the operation of Next Generation 9–1–  
12 1 to fail.

13 (12) STATE OR TAXING JURISDICTION.—The  
14 term “State or taxing jurisdiction” has the meaning  
15 given such term in section 6(f)(3)(D) of the Wireless  
16 Communications and Public Safety Act of 1999 (47  
17 U.S.C. 615a–1(f)(3)(D)).

18 (13) 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.

○