

Ang Klobuchar

Purpose: In the nature of a substitute.

S. 725

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, to categorize public safety telecommunicators as a protective service occupation under the Standard Occupational Classification system, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE INTENDED TO BE PROPOSED BY MS. KLOBUCHAR (for herself and Mrs. BLACKBURN)

Viz:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Enhancing First Response Act”.

SEC. 2. REPORTS AFTER ACTIVATION OF DISASTER INFORMATION REPORTING SYSTEM; IMPROVEMENTS TO NETWORK OUTAGE REPORTING.

(a) Definitions.—In this section:

(1) AUTOMATIC LOCATION INFORMATION; AUTOMATIC NUMBER IDENTIFICATION.—The terms “Automatic Location Information” and “Automatic Number Identification” have the meanings given those terms in section 9.3 of title 47, Code of Federal Regulations, or any successor regulation.

(2) BROADBAND INTERNET ACCESS SERVICE.—The term “broadband internet access service” has the meaning given the term in section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation.

1 (3) COMMERCIAL MOBILE SERVICE.—The term “commercial mobile service” has the
2 meaning given the term in section 332(d) of the Communications Act of 1934 (47 U.S.C.
3 332(d)).

4 (4) COMMERCIAL MOBILE DATA SERVICE.—The term “commercial mobile data service”
5 has the meaning given the term in section 6001 of the Middle Class Tax Relief and Job
6 Creation Act of 2012 (47 U.S.C. 1401).

7 (5) COMMISSION.—The term “Commission” means the Federal Communications
8 Commission.

9 (6) INDIAN TRIBAL GOVERNMENT; LOCAL GOVERNMENT.—The terms “Indian tribal
10 government” and “local government” have the meanings given those terms in section 102 of
11 the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

12 (7) INTERCONNECTED VOIP SERVICE.—The term “interconnected VoIP service” has the
13 meaning given that term in section 9.3 of title 47, Code of Federal Regulations.

14 (8) MULTI-LINE TELEPHONE SYSTEM.—The term “multi-line telephone system” has the
15 meaning given the term in section 721(f) of the Communications Act of 1934 (47 U.S.C.
16 623(f)).

17 (9) OUTAGE.—The term “outage” has the meaning given the term in section 4.5 of title
18 47, Code of Federal Regulations, or any successor regulation.

19 (10) PUBLIC SAFETY ANSWERING POINT.—The term “public safety answering point” has
20 the meaning given the term in section 222(h) of the Communications Act of 1934 (47
21 U.S.C. 222(h)).

22 (11) STATE.—The term “State” has the meaning given that term in section 3 of the
23 Communications Act of 1934 (47 U.S.C. 153).

24 (12) SYSTEM.—The term “System” means the Disaster Information Reporting System.

25 (b) Reports After Activation of the Disaster Information Reporting System.—

26 (1) PUBLIC HEARINGS.—

27 (A) REQUIREMENT.—Each year, the Commission shall hold not less than 1 public
28 hearing relating to all events during the preceding 1-year period for which the System
29 was activated for not less than 7 days.

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

32 (i) representatives of State government, local government, or Indian tribal
33 governments in areas affected by such event;

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

35 (iii) providers of communications services affected by such event;

36 (iv) faculty of institutions of higher education;

37 (v) representatives of other Federal agencies;

38 (vi) electric utility providers;

1 (vii) communications infrastructure companies; and

2 (viii) first responders, emergency managers, and 911 directors in areas affected
3 by such event.

4 (2) REPORT.—Not later than 120 days after the public hearing under paragraph (1)
5 occurs, the Commission shall issue a report that includes, with respect to such event and to
6 the extent known without requiring the collection of additional information—

7 (A) the number and duration of any outages of—

8 (i) broadband internet access service;

9 (ii) interconnected VoIP service;

10 (iii) commercial mobile service; and

11 (iv) commercial mobile data service;

12 (B) the approximate number of users and the amount of communications
13 infrastructure potentially affected by an outage described in subparagraph (A);

14 (C) the number and duration of any outages that prevent public safety answering
15 points from receiving caller location or number information or receiving emergency
16 calls and routing such calls to emergency service personnel; and

17 (D) any recommendations of the Commission on how to improve the resiliency of
18 affected communications or networks recovery efforts.

19 (3) DEVELOPMENT OF REPORTS.—In developing a report required under paragraph (2), the
20 Commission shall consider information collected by the Commission, including information
21 collected by the Commission through the System, and any public hearing described in
22 paragraph (1) with respect to the applicable event.

23 (4) PUBLICATION.—The Commission shall publish each report, excluding information
24 that is otherwise exempt from public disclosure under the rules of the Commission or was
25 submitted to the Commission with a proper request for confidential treatment as described
26 in section 0.459 of title 47, Code of Federal Regulations, issued under this subsection on the
27 website of the Commission upon the issuance of such report. The Commission shall not
28 publicly disclose company-specific information.

29 (c) Improvements to Network Outage Reporting.—Not later than 1 year after the date of
30 enactment of this Act, the Commission shall investigate and publish a report on—

31 (1) the value to public safety agencies of originating service providers including visual
32 information to improve situational awareness about outages in the notifications provided to
33 public safety answering points, as required by rules issued by the Commission;

34 (2) the volume and nature of 911 outages that may go unreported under the outage
35 notification thresholds of the Commission;

36 (3) the balance between the value described in paragraph (1) to public safety agencies and
37 the burden and practicality for originating service providers of including visual information
38 in outage notifications as described in that paragraph; and

39 (4) recommended changes to rules issued by the Commission to address paragraphs (1)

1 and (2).

2 (d) Rule of Construction.—Nothing in this Act shall be construed to provide the Commission
3 or any other person authority over any provider of broadband internet access service beyond
4 what is specifically authorized under this Act.

5 SEC. 3. REPORTING OF PUBLIC SAFETY 6 TELECOMMUNICATORS AS PROTECTIVE SERVICE 7 OCCUPATIONS.

8 (a) Findings.—Congress finds the following:

9 (1) Public safety telecommunicators play a critical role in emergency response, providing
10 medical instruction, gathering lifesaving information, and protecting civilians and first
11 responders.

12 (2) The Standard Occupational Classification system is designed and maintained solely
13 for statistical purposes, and is used by Federal statistical agencies to classify workers and
14 jobs into occupational categories for the purpose of collecting, calculating, analyzing, or
15 disseminating data.

16 (3) Occupations in the Standard Occupational Classification are classified based on work
17 performed and, in some cases, on the skills, education, or training needed to perform the
18 work.

19 (4) Classifying public safety telecommunicators as a protective service occupation would
20 correct an inaccurate representation in the Standard Occupational Classification, recognize
21 these professionals for the lifesaving work they perform, and better align the Standard
22 Occupational Classification with related classification systems.

23 (b) Standard Occupational Classification System.—The Director of the Office of Management
24 and Budget shall, not later than 30 days after the date of enactment of this Act, categorize public
25 safety telecommunicators as a protective service occupation under the Standard Occupational
26 Classification system.

27 SEC. 4. REPORT ON IMPLEMENTATION OF THE KARI'S 28 LAW ACT OF 2017.

29 Not later than 180 days after the date of enactment of this Act, the Commission shall publish a
30 report regarding the enforcement by the Commission of section 721 of the Communications Act
31 of 1934 (47 U.S.C. 623), which shall include—

32 (1) a summary of the extent to which multi-line telephone system manufacturers and
33 vendors have complied with that section;

34 (2) potential difficulties and obstacles in complying with that section;

35 (3) recommendations to the Commission, if necessary, on ways to improve the policies of
36 the Commission to better enforce that section; and

37 (4) recommendations to Congress, if necessary, on further legislation that could mitigate
38 problems like those that are addressed by that section.=