

117TH CONGRESS
1ST SESSION

S. 390

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.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 23, 2021

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

A BILL

To direct the Federal Communications Commission to issue reports after activation of the Disaster Information Reporting System and to make improvements to network outage reporting.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Emergency Reporting
5 Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) AUTOMATIC LOCATION INFORMATION;
2 AUTOMATIC NUMBER IDENTIFICATION.—The terms
3 “Automatic Location Information” and “Automatic
4 Number Identification” have the meaning given
5 those terms in section 9.3 of title 47, Code of Fed-
6 eral Regulations, or any successor regulation.

7 (2) BROADBAND INTERNET ACCESS SERVICE.—
8 The term “broadband internet access service” has
9 the meaning given such term in section 8.1(b) of
10 title 47, Code of Federal Regulations, or any suc-
11 cessor regulation.

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

16 (4) COMMERCIAL MOBILE DATA SERVICE.—The
17 term “commercial mobile data service” has the
18 meaning given such term in section 6001 of the Mid-
19 dle Class Tax Relief and Job Creation Act of 2012
20 (47 U.S.C. 1401).

21 (5) COMMISSION.—The term “Commission”
22 means the Federal Communications Commission.

23 (6) INDIAN TRIBAL GOVERNMENT; LOCAL GOV-
24 ERNMENT.—The terms “Indian Tribal government”
25 and “Indian Tribal Government” have the meaning

1 given those terms in section 102 of the Robert T.
2 Stafford Disaster Relief and Emergency Assistance
3 Act (42 U.S.C. 5121).

4 (7) INTERCONNECTED VOIP SERVICE.—The
5 term “interconnected VoIP service” has the meaning
6 given such term in section 3 of the Communications
7 Act of 1934 (47 U.S.C. 153).

8 (8) PUBLIC SAFETY ANSWERING POINT.—The
9 term “public safety answering point” has the mean-
10 ing given such term in section 222 of the Commu-
11 nications Act of 1934 (47 U.S.C. 222).

12 (9) STATE.—The term “State” has the mean-
13 ing given such term in section 3 of the Communica-
14 tions Act of 1934 (47 U.S.C. 153).

15 **SEC. 3. REPORTS AFTER ACTIVATION OF DISASTER INFOR-**
16 **MATION REPORTING SYSTEM; IMPROVE-**
17 **MENTS TO NETWORK OUTAGE REPORTING.**

18 (a) REPORTS AFTER ACTIVATION OF DISASTER IN-
19 FORMATION REPORTING SYSTEM.—

20 (1) PRELIMINARY REPORT.—

21 (A) IN GENERAL.—Not later than 6 weeks
22 after the deactivation of the Disaster Informa-
23 tion Reporting System with respect to an event
24 for which the System was activated for not less
25 than 7 days, the Commission shall issue a pre-

1 liminary report on, with respect to such event
2 and to the extent known—

3 (i) the number and duration of any
4 outages of—

5 (I) broadband internet access
6 service;

7 (II) interconnected VoIP service;

8 (III) commercial mobile service;

9 and

10 (IV) commercial mobile data
11 service;

12 (ii) the approximate number of users
13 or the amount of communications infra-
14 structure potentially affected by an outage
15 described in clause (i);

16 (iii) the number and duration of any
17 outages at public safety answering points
18 that prevent public safety answering points
19 from receiving emergency calls and routing
20 such calls to emergency service personnel;
21 and

22 (iv) any additional information deter-
23 mined appropriate by the Commission.

24 (B) DEVELOPMENT OF REPORT.—The
25 Commission shall develop the report required by

1 subparagraph (A) using information collected
2 by the Commission, including information col-
3 lected by the Commission through the System.

4 (2) PUBLIC FIELD HEARINGS.—

5 (A) REQUIREMENT.—Not later than 8
6 months after the deactivation of the Disaster
7 Information Reporting System with respect to
8 an event for which the System was activated for
9 not less than 7 days, the Commission shall hold
10 not less than 1 public field hearing in the area
11 affected by such event.

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

16 (i) representatives of State govern-
17 ment, local government, or Indian Tribal
18 governments in areas affected by such
19 event;

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

22 (iii) providers of communications serv-
23 ices affected by such event;

24 (iv) faculty of institutions of higher
25 education;

1 (v) representatives of other Federal
2 agencies;

3 (vi) electric utility providers;

4 (vii) communications infrastructure
5 companies; and

6 (viii) first responders, emergency
7 managers, or 9–1–1 directors in areas af-
8 fected by such event.

9 (3) FINAL REPORT.—Not later than 12 months
10 after the deactivation of the Disaster Information
11 Reporting System with respect to an event for which
12 the System was activated for not less than 7 days,
13 the Commission shall issue a final report that in-
14 cludes, with respect to such event—

15 (A) the information described in paragraph
16 (1)(A); and

17 (B) any recommendations of the Commis-
18 sion on how to improve the resiliency of af-
19 fected communications or networks recovery ef-
20 forts.

21 (4) DEVELOPMENT OF REPORTS.—In devel-
22 oping a report required under this subsection, the
23 Commission shall consider information collected by
24 the Commission, including information collected by
25 the Commission through the System, and any public

1 hearing described in paragraph (2) with respect to
2 the applicable event.

3 (5) PUBLICATION.—The Commission shall pub-
4 lish each report, excluding information that is other-
5 wise exempt from public disclosure under the rules
6 of the Commission, issued under this subsection on
7 the website of the Commission upon the issuance of
8 such report.

9 (b) IMPROVEMENTS TO NETWORK OUTAGE REPORT-
10 ING.—Not later than 1 year after the date of the enact-
11 ment of this Act, the Commission shall conduct a pro-
12 ceeding and, after public notice and an opportunity for
13 comment, adopt rules to—

14 (1) determine the circumstances under which to
15 require service providers subject to the 9–1–1 regu-
16 lations established under part 9 of title 47, Code of
17 Federal Regulations, to submit a timely notification,
18 (in an easily accessible format that facilitates situa-
19 tional awareness) to public safety answering points
20 regarding communications service disruptions within
21 the assigned territories of such public safety answer-
22 ing points that prevent—

23 (A) the origination of 9–1–1 calls;

24 (B) the delivery of Automatic Location In-
25 formation; or

- 1 (C) Automatic Number Identification;
- 2 (2) require such notifications to be made; and
- 3 (3) specify the appropriate timing of such noti-
- 4 fication.

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