

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

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

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

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

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

SEC. 3. REPORTS AFTER ACTIVATION OF DISASTER INFORMATION REPORTING SYSTEM; IMPROVEMENTS TO NETWORK OUTAGE REPORTING.

(a) REPORTS AFTER ACTIVATION OF DISASTER INFORMATION REPORTING SYSTEM.—

(1) PRELIMINARY REPORT.—

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

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

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

(I) broadband internet access
service;

(II) interconnected VoIP service;

(III) commercial mobile service;

and

(IV) commercial mobile data
service;

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

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

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

(B) DEVELOPMENT OF REPORT.—The
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.

○