

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 4667

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.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 23, 2020

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

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## 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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