

FIRST RESPONDER NETWORK AUTHORITY
REAUTHORIZATION ACT OF 2026

APRIL 15, 2026.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. GUTHRIE, from the Committee on Energy and Commerce,
submitted the following

R E P O R T

[To accompany H.R. 7386]

The Committee on Energy and Commerce, to whom was referred the bill (H.R. 7386) to amend the Middle Class Tax Relief and Job Creation Act of 2012 to reauthorize the First Responder Network Authority, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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The amendment is as follows:
Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “First Responder Network Authority Reauthorization Act of 2026”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Reauthorization of First Responder Network Authority.
- Sec. 3. Authority of NTIA over First Responder Network Authority.
- Sec. 4. Board of First Responder Network Authority.
- Sec. 5. Associate Administrator.
- Sec. 6. Components of nationwide public safety broadband network.
- Sec. 7. Flexibility in establishing fee amounts.
- Sec. 8. Reports to Congress on First Responder Network Authority.
- Sec. 9. Business continuity and disaster recovery plan.
- Sec. 10. Outage notifications.
- Sec. 11. Submission to Congress of FirstNet contract.
- Sec. 12. Definitions.

SEC. 2. REAUTHORIZATION OF FIRST RESPONDER NETWORK AUTHORITY.

Section 6206 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1426) is amended—

(1) in subsection (f), by striking “the date that is 15 years after the date of enactment of this title” and inserting “September 30, 2037”; and

(2) in subsection (g)—

(A) by striking “Not later than 10 years after the date of the enactment of this Act” and inserting “Not later than 7 years after the date of the enactment of the First Responder Network Authority Reauthorization Act of 2026”;

(B) by striking “15-year sunset” and inserting “termination”; and

(C) by adding at the end the following: “Such report shall also contain recommendations for Congress and the NTIA regarding preparations for the expiration of any contract between the First Responder Network Authority and the FirstNet contractor with respect to building, operating, or maintaining the nationwide public safety broadband network.”.

SEC. 3. AUTHORITY OF NTIA OVER FIRST RESPONDER NETWORK AUTHORITY.

(a) **IN GENERAL.**—Subtitle B of title VI of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1421 et seq.) is amended—

(1) in section 6204(a), by striking “as an independent authority”;

(2) in section 6206—

(A) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (h), respectively;

(B) by inserting after subsection (c) the following:

“(d) **ACTIONS SUBJECT TO APPROVAL OF NTIA.**—

“(1) **IN GENERAL.**—Any action taken by the First Responder Network Authority shall be subject to the approval of the NTIA.

“(2) **MANNER OF APPROVAL.**—

“(A) **PRIOR APPROVAL.**—Except as provided in subparagraph (B), the First Responder Network Authority may not take an action unless the NTIA has provided prior approval for such action.

“(B) **ACTIONS FOR WHICH PRIOR APPROVAL NOT REQUIRED.**—The First Responder Network Authority may take any of the following actions without prior approval by the NTIA:

“(i) Deploying emergency response capabilities and resources to emergencies and disasters.

“(ii) Setting strategic priorities and conducting planning activities with respect to the nationwide public safety broadband network.

“(iii) Maintaining and updating the First Responder Network Authority Strategic Plan and Roadmap or a similar document with respect to the growth, evolution, and advancement of the nationwide public safety broadband network.

“(iv) Establishing performance expectations and investment priorities with respect to the nationwide public safety broadband network.

“(v) Developing and adopting the annual budget of the First Responder Network Authority and outlining all network reinvestment decisions and task orders with respect to the nationwide public safety broadband network.

“(vi) Making written recommendations to the NTIA for action upon network reinvestment decisions and task orders with respect to the nationwide public safety broadband network.

“(vii) Managing the device and application ecosystem with respect to the nationwide public safety broadband network.

“(viii) Receiving reports from the Public Safety Advisory Committee or other advisory committees established by the First Responder Network Authority.

“(ix) Communicating with and conducting outreach to public safety entities and public safety professionals.

“(x) Reporting to and briefing Congress, in accordance with this subtitle.

“(xi) Such other actions as the NTIA may specify.

“(C) **RULE OF CONSTRUCTION.**—Nothing in this paragraph may be construed to alter the requirement of subsection (c) of section 6208 that fees may only be assessed under such section if approved by the NTIA.”; and

(C) in subsection (h) (as so redesignated), by striking “subsection (f)” and inserting “subsection (g)”; and

(3) in section 6208(d)—

(A) by striking “The First Responder Network Authority” and inserting the following:

“(1) **IN GENERAL.**—The First Responder Network Authority”; and

(B) by adding at the end the following:

“(2) **NTIA ACTION ON NETWORK REINVESTMENT DECISIONS AND TASK ORDERS.**—Not later than 60 days after the date on which the NTIA receives a written recommendation from the First Responder Network Authority for action upon a network reinvestment decision or task order with respect to the nationwide public safety broadband network, the NTIA shall take action upon such network reinvestment decision or task order.”.

(b) **CONFORMING AMENDMENT.**—Section 6205(b)(2) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1425(b)(2)) is amended by striking “If” and inserting “Subject to section 6206(d), if”.

(c) **APPLICABILITY.**—The amendments made by this section shall apply with respect to—

(1) except as provided in paragraph (2) of this subsection, actions taken by the First Responder Network Authority on or after the date of the enactment of this Act; and

(2) in the case of paragraph (2) of section 6208(d) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1428(d)), as added by this section, written recommendations received by the National Telecommunications and Information Administration on or after the date of the enactment of this Act.

SEC. 4. BOARD OF FIRST RESPONDER NETWORK AUTHORITY.

(a) **PUBLIC SAFETY PROFESSIONALS.**—Section 6204(b)(2)(A) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1424(b)(2)(A)) is amended by amending clause (iv) to read as follows:

“(iv) ensure that, on and after the date that is 3 years after the date of the enactment of the First Responder Network Authority Reauthorization Act of 2026, the Board includes not fewer than 5 individuals serving as State, local, or Tribal public safety professionals in the fields of fire response services, emergency medical services, emergency management services, law enforcement, or 9–1–1 services.”.

(b) **STAGGERED TERMS.**—

(1) **IN GENERAL.**—Section 6204(c)(2) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1424(c)(2)) is amended—

(A) in subparagraph (A)(ii), by striking “3 years” and inserting “not more than 3 years”; and

(B) by amending subparagraph (D) to read as follows:

“(D) **STAGGERED TERMS.**—In making appointments under subsection (b)(1)(D), the Secretary of Commerce shall ensure that the terms of office of individuals so appointed are staggered, as the Secretary considers appropriate to reduce the likelihood that the terms of office of more than 4 such individuals will expire at the same time.”.

(2) **APPLICABILITY.**—The amendments made by this subsection shall apply with respect to appointments made on or after the date of the enactment of this Act.

SEC. 5. ASSOCIATE ADMINISTRATOR.

(a) **IN GENERAL.**—Section 6204 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1424) is amended by adding at the end the following:

“(h) **ASSOCIATE ADMINISTRATOR.**—

“(1) **IN GENERAL.**—The First Responder Network Authority shall have an Associate Administrator, who shall be a career appointee (as defined in section 3132(a) of title 5, United States Code) in the Senior Executive Service and who

shall be appointed by the Assistant Secretary from among 3 individuals nominated by the Board. The Assistant Secretary shall make such appointment under the merit procedures applicable to appointing such career appointees under subchapter II of chapter 31 of such title 5.

“(2) DUTIES.—The Associate Administrator shall do the following:

“(A) Subject to the direction of the Board and approval by the Assistant Secretary under section 6206(d), manage the staff and operations of the First Responder Network Authority in order to ensure that the duties and responsibilities of the First Responder Network Authority are carried out.

“(B) Serve as a liaison between the Board and the Assistant Secretary, including with respect to ensuring compliance by the First Responder Network Authority with section 6206(d).

“(3) ANNUAL PERFORMANCE REVIEWS.—The NTIA, in consultation with the Chair of the Board and any committee of the Board relating to governance and risk, shall conduct an annual performance review of the Associate Administrator.”

(b) CONTINUATION IN OFFICE.—The individual serving as the Executive Director and Chief Executive Officer of the First Responder Network Authority on the day before the date of the enactment of this Act may serve as the Associate Administrator under subsection (h) of section 6204 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1424), as added by subsection (a), on and after such date of enactment without the need for appointment under such subsection (h).

SEC. 6. COMPONENTS OF NATIONWIDE PUBLIC SAFETY BROADBAND NETWORK.

Section 6202(b) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1422(b)) is amended, in the matter preceding paragraph (1), by striking “and initially consists of” and inserting “and consists of such technologies and services as necessary to enable secure, interoperable, resilient, and prioritized broadband communications for public safety entities, including”.

SEC. 7. FLEXIBILITY IN ESTABLISHING FEE AMOUNTS.

Section 6208(b) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1428(b)) is amended—

(1) by inserting “(or other period specified by the First Responder Network Authority)” after “for each fiscal year”; and

(2) by striking “the fiscal year involved” and inserting “such fiscal year (or other period)”.

SEC. 8. REPORTS TO CONGRESS ON FIRST RESPONDER NETWORK AUTHORITY.

(a) ADDITIONAL MATTERS TO BE INCLUDED IN FIRST RESPONDER NETWORK AUTHORITY AUDIT REPORT.—Section 6209(b)(2) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1429(b)(2)) is amended—

(1) in subparagraph (B), by striking “; and” and inserting a semicolon;

(2) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(D) an evaluation of the performance of the FirstNet contractor under the contract in building, operating, and maintaining the nationwide public safety broadband network.”.

(b) ANNUAL REPORTS TO CONGRESS.—Subtitle B of title VI of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1421 et seq.), as amended by the preceding provisions of this Act, is further amended by adding at the end the following:

“SEC. 6214. ANNUAL REPORTS ON FIRST RESPONDER NETWORK AUTHORITY.

“(a) REPORT ON NETWORK MATTERS.—The NTIA shall submit to Congress an annual report that includes information on cyberattacks, cyber defense efforts, and unscheduled service outages of all causes with respect to the nationwide public safety broadband network. Each such annual report—

“(1) shall be submitted in unclassified form, but may contain a classified annex; and

“(2) at the request of the Board, shall include a statement from the Board with respect to such information.

“(b) REPORT ON ADOPTION RATES.—The NTIA shall submit to Congress an annual report on adoption rates, by profession and geographic area, with respect to the nationwide public safety broadband network that, at the request of the Board, shall include a statement from the Board with respect to such adoption rates.”.

(c) ANNUAL BRIEFING.—Subtitle B of title VI of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1421 et seq.), as amended by the preceding provisions of this Act, is further amended by adding at the end the following:

“SEC. 6215. ANNUAL BRIEFINGS ON FIRST RESPONDER NETWORK AUTHORITY.

“Not later than 1 year after the date of the enactment of this section, and annually thereafter, the NTIA shall provide to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a briefing on activities with respect to the First Responder Network Authority that, at the request of the Board, shall include the participation of the Chair of the Board (or a designee thereof).”.

SEC. 9. BUSINESS CONTINUITY AND DISASTER RECOVERY PLAN.

Subtitle B of title VI of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1421 et seq.), as amended by the preceding provisions of this Act, is further amended by adding at the end the following:

“SEC. 6216. BUSINESS CONTINUITY AND DISASTER RECOVERY PLAN.

“(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, and every 5 years thereafter, the FirstNet contractor shall submit to the NTIA for approval, and to the Board for review, a business continuity and disaster recovery plan to ensure rapid restoration of the nationwide public safety broadband network following an outage resulting from a natural disaster or other emergency.

“(b) TIMING OF APPROVAL OR REQUEST FOR RESUBMISSION.—Not later than 180 days after the date on which the NTIA receives a plan submitted under this section, the NTIA, in consultation with the Board, shall—

“(1) approve such plan; or

“(2) provide to the FirstNet contractor a written notice of—

“(A) the reasoning for not approving such plan; and

“(B) the timeframe and process, as determined by the NTIA, for resubmitting such plan for approval.”.

SEC. 10. OUTAGE NOTIFICATIONS.

Subtitle B of title VI of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1421 et seq.), as amended by the preceding provisions of this Act, is further amended by adding at the end the following:

“SEC. 6217. OUTAGE NOTIFICATIONS.

“In the case of any unscheduled service outage with respect to the nationwide public safety broadband network—

“(1) as soon as practicable, but not later than 30 minutes, after the FirstNet contractor has confirmed such outage, the FirstNet contractor shall notify the First Responder Network Authority of such outage; and

“(2) the FirstNet contractor shall provide to the departments and agencies that use such network a network status tool that provides timely information on such outage.”.

SEC. 11. SUBMISSION TO CONGRESS OF FIRSTNET CONTRACT.

Subtitle B of title VI of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1421 et seq.), as amended by the preceding provisions of this Act, is further amended by adding at the end the following:

“SEC. 6218. SUBMISSION TO CONGRESS OF FIRSTNET CONTRACT.

“Not later than 7 days after receiving a request, in writing, from the Chair and Ranking Member of the Committee on Energy and Commerce of the House of Representatives, or from the Chair and Ranking Member of the Committee on Commerce, Science, and Transportation of the Senate, the Assistant Secretary shall submit to such Committee any contract between the First Responder Network Authority and the FirstNet contractor with respect to building, operating, or maintaining the nationwide public safety broadband network.”.

SEC. 12. DEFINITIONS.

Section 6001 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401) is amended—

(1) by redesignating paragraphs (15) through (33) as paragraphs (16) through (34), respectively; and

(2) by inserting after paragraph (14) the following:

“(15) FIRSTNET CONTRACTOR.—The term ‘FirstNet contractor’ means the entity that, under contract with the First Responder Network Authority, builds, operates, and maintains the nationwide public safety broadband network.”.

PURPOSE AND SUMMARY

H.R. 7386, the First Responder Network Authority Reauthorization Act, was introduced on February 5, 2026, by Representatives

Neal Dunn (R-FL) and Jennifer McClellan (D-VA). It would reauthorize the First Responder Network Authority (FirstNet) for 10 years and would place it directly under control of the National Telecommunications and Information Administration. It would also make changes to leadership positions and components of the National Public Safety Broadband Network, and includes provisions to increase transparency, ensure accountability, and strengthen FirstNet.

BACKGROUND AND NEED FOR LEGISLATION

In 2002, Congress established the *National Commission on Terrorist Attacks Upon the United States* (9/11 Commission) to evaluate the circumstances surrounding the terrorist attacks in New York City, New York, on September 11, 2001, and provide recommendations to guard against future attacks.¹ The report found that on September 11, 2001, firefighters, police, and other first responders suffered severe communications failures that undermined their ability to coordinate and respond to the attacks. The 9/11 Commission recommended increased coordination among public safety communications networks and that Congress dedicate additional radio spectrum for public safety purposes.²

The First Responder Network Authority (FirstNet) was created in 2012 as an independent authority within the National Telecommunications and Information Administration (NTIA).³ FirstNet was charged with developing a dedicated, reliable, secure, and interoperable nationwide public safety broadband network (NPSBN) to support the communications needs of first responders and other public safety officials.⁴ FirstNet's statutory authority expires on February 22, 2027.

FirstNet is led by a 15-person board (Board). It has three permanent members consisting of the Secretary of Homeland Security, the Attorney General of the United States, and the Director of the Office of Management and Budget. The remaining twelve individuals are appointed by the Secretary of Commerce, with varying professional qualifications related to commercial networks, emergency response, or public safety.⁵ An Executive Director and Chief Executive Officer, selected by NTIA through a competitive interview process, acts as a liaison between the Board and NTIA to ensure the duties and responsibilities of FirstNet are carried out.

Congress initially allocated \$7 billion from spectrum auction revenue as seed funding for the program; however, pursuant to the statute, the network is required to be completely self-funded through user fees. All fees must be approved by NTIA on an annual basis.⁶

In March 2017, FirstNet awarded AT&T a 25-year, \$6.5 billion contract and 20 megahertz (20 MHz) of spectrum to build, operate,

¹ Intelligence Authorization Act for Fiscal Year 2003, Pub. L. No. 107-306, §§601-611, 116 Stat. 2383.

² THE 9/11 COMM'N, 108th Cong., *The 9/11 Commission Report*, at 397 (Jul. 22, 2004), <https://govinfo.library.unt.edu/911/report/911Report.pdf>.

³ Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, § 6204.

⁴ Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, § 6206.

⁵ Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, § 6204.

⁶ Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, § 6208.

and maintain the nationwide network for public safety.⁷ AT&T must meet buildout obligations as part of the contract, and shortly after being awarded the contract, AT&T offered priority and pre-emption service on its network nationwide for public safety users.⁸

In September 2017, FirstNet presented states with plans detailing how the network would be deployed in each state. Governors could opt to have AT&T deploy the network (i.e., opt in), or have the state assume responsibility for the deployment (i.e., opt out). By January 2018, all 50 states and 6 territories opted in.⁹ These plans detailed the six-phase approach that FirstNet took to deploy the network's capabilities and coverage, with each phase having rural and non-rural coverage, service, and adoption milestones that must be met. On December 20, 2023, the FirstNet Authority verified the initial nationwide buildout of the NPSBN.¹⁰

AT&T will pay FirstNet \$18 billion over the 25-year contract as sustainability payments for use of the exclusive spectrum. These funds will be reinvested into the NPSBN.¹¹

Since 2014, the Department of Commerce Office of Inspector General has issued 21 reports regarding significant concerns about FirstNet and the deployment of the NPSBN, its operational responses, and other administrative matters. These reports demonstrate significant concerns about contractor behavior as well as the oversight capabilities at the First Responder Network Authority.

In particular, a report found that contract performance metrics were altered by FirstNet, without adherence to federal and Department of Commerce regulations, in order make it easier for AT&T to achieve milestone compliance and payments.¹² Several reports found that FirstNet failed to provide adequate oversight on reinvestment task orders, device connection targets, and coverage requirements, which risked first responders' ability to use the network and effectively serve the public.¹³ Additional reports found that FirstNet could not demonstrate that reinvestment decisions maximized the benefits to public safety¹⁴ and FirstNet's services were not effective in responding to the 2023 Maui wildfires, includ-

⁷Jill C. Gallagher, *The First Responder Network (FirstNet) and Next-Generation Communications for Public Safety: Issues for Congress*, CONGRESSIONAL RESEARCH SERVICE (Apr. 27, 2018), <https://www.congress.gov/crs-product/R45179>.

⁸*Id.*

⁹*Id.*

¹⁰*FirstNet: Initial Buildout of Public Safety's Network Verified, Delivering for America's First Responders*, FIRST RESPONDER NETWORK AUTHORITY (Dec. 20, 2023), <https://firstnet.gov/newsroom/blog/firstnet-initial-buildout-public-safety-network-verified-delivering-americas-first>.

¹¹UNITED STATES GOV'T ACCOUNTABILITY OFFICE, *Public-Safety Broadband Network: Congressional Action Required to Ensure Network Continuity* (Feb. 22, 2022), <https://www.gao.gov/products/gao-22-104915>.

¹²DEPT. OF COM. OFFICE OF INSPECTOR GEN. (OIG), *FirstNet Authority Did Not Ensure the Nation's First Responders' Needs Were Continuing to Be Met Timely When Modifying Key Objectives of the NPSBN Contract*, OIG-24-024-A (May 30, 2024).

¹³OIG, *FirstNet Authority Failed to Provide Adequate Contract Oversight for Its Initial Two Reinvestment Task Orders*, OIG-23-012-09A (Mar. 1, 2023), DEPT OF COM. OFFICE OF INSPECTOR GEN., *FirstNet Authority's Lack of NPSBN Contract Oversight for Coverage Puts at Risk First Responders' Ability to Serve the Public Effectively*, OIG-24-026-09A (Jun. 5, 2024), and OIG, *FirstNet Authority's Lack of Contract Oversight for Device Connection Targets Puts the NPSBN at Risk of Impacting First Responders' Use of the Network*, OIG-24-027-A (Jun. 12, 2024).

¹⁴OIG, *FirstNet Authority Could Not Demonstrate Investment Decisions Were the Best Use of Reinvestment Funds or Maximized the Benefits to Public Safety*, OIG-23-005-A (Nov. 28, 2022).

ing a finding that FirstNet did not ensure that a sufficient plan for disaster response was developed before the wildfires.¹⁵

Recent network outages have also negatively affected subscribers nationwide and hindered the ability of individuals to contact 911 services as well as use the NPSBN itself. On February 22, 2024, an improperly configured software update to AT&T's network triggered a nationwide outage, which affected FirstNet and AT&T customers' ability to contact 911 services. FirstNet services were out for almost 2 hours. FirstNet customers were not notified of the outage until 53 minutes after FirstNet services were restored.¹⁶

COMMITTEE ACTION

On September 9, 2025, the Subcommittee on Communications and Technology held a hearing entitled, "Public Safety Communications in the United States." The Subcommittee received testimony from:

- Steve Newton, Emergency Management Director, Chatham County Emergency Management
- Sheriff Shannon Dicus, San Bernadino County
- Dr. Brian Fontes, Former Chief Executive Officer, National Emergency Number Association
- Randall C. Wright, Executive Director, WUFT/WRUF, Florida Public Radio Emergency Network, and Project Beacon

On February 4, 2026, the Subcommittee on Communications and Technology held a legislative hearing entitled, "Evaluating FirstNet: Performance, Accountability, and Reauthorization." The Subcommittee received testimony from:

- Sheriff Michael Adkinson, Acting Board Chair, First Responder Network Authority, and Sheriff, Walton County Florida
- Scott Agnew, President of FirstNet and Public Safety Mobility, AT&T
- Michael Dame, Associate Administrator, Office of Public Safety Communications, National Telecommunications and Information Administration

On February 10, 2026, the Subcommittee on Communications and Technology met in open markup session and forwarded H.R. 7386, without amendment, to the full Committee by voice vote. On March 25, 2026, the full Committee on Energy and Commerce met in open markup session and ordered H.R. 7386, with an amendment, favorably reported to the House by a record vote of 51 yeas and 0 nays.

COMMITTEE VOTES

Clause 3(b) of rule XIII requires the Committee to list the record votes on the motion to report legislation and amendments thereto. The following reflects the record votes taken during the Committee consideration:

¹⁵ OIG, *Nationwide Public Safety Broadband Network Was Not Always Available to First Responders During the Catastrophic 2023 Maui Wildfires*, OIG-25-004-A (Dec. 5, 2024).

¹⁶ FED. COMM'N. COMM'N., *AT&T Mobility Network Outage Report and Findings* (Jul. 22, 2024), <https://docs.fcc.gov/public/attachments/DOC-404150A1.pdf>.

**COMMITTEE ON ENERGY AND COMMERCE
119TH CONGRESS
ROLL CALL VOTE # 1**

BILL: H.R. 7386, The First Responder Network Authority Reauthorization Act

AMENDMENT: Final Passage

DISPOSITION: Agreed to, as amended, by a vote of 51 Yeas and 0 Nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Guthrie	X			Mr. Pallone	X		
Mr. Latta	X			Ms. DeGette	X		
Mr. Griffith	X			Ms. Schakowsky	X		
Mr. Bilirakis	X			Ms. Matsui	X		
Mr. Hudson	X			Ms. Castor	X		
Mr. Carter (GA)	X			Mr. Tonko	X		
Mr. Palmer	X			Ms. Clarke	X		
Mr. Dunn	X			Mr. Ruiz	X		
Mr. Crenshaw				Mr. Peters	X		
Mr. Joyce	X			Mrs. Dingell	X		
Mr. Weber	X			Mr. Veasey	X		
Mr. Allen	X			Ms. Kelly	X		
Mr. Balderson	X			Ms. Barragán	X		
Mr. Fulcher	X			Mr. Soto	X		
Mr. Pfluger	X			Ms. Schrier	X		
Mrs. Harshbarger	X			Ms. Trahan	X		
Mrs. Miller-Meeks	X			Ms. Fletcher	X		
Mrs. Cammack	X			Ms. Ocasio-Cortez	X		
Mr. Obernolte				Mr. Auchincloss	X		
Mr. James	X			Mr. Carter (LA)	X		
Mr. Bentz	X			Mr. Menendez	X		
Mrs. Houchin	X			Mr. Mullin	X		
Mr. Fry	X			Mr. Landsman	X		
Ms. Lee	X			Ms. McClellan	X		
Mr. Langworthy	X						
Mr. Kean							
Mr. Rulli	X						
Mr. Evans	X						
Mr. Goldman	X						
Mrs. Fedorchak	X						

03/25/2026

OVERSIGHT FINDINGS AND RECOMMENDATIONS

Pursuant to clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII, the Committee held a hearing and made findings that are reflected in this report.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY,
AND TAX EXPENDITURES

Pursuant to clause 3(c)(2) of rule XIII, the Committee finds that H.R. 7386 would result in no new or increased budget authority, entitlement authority, or tax expenditures or revenues.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII, at the time this report was filed, the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974 was not available.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to reauthorize the First Responder Network Authority and to make improvements to the program.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII, no provision of H.R. 7386 is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111–139 or the most recent Catalog of Federal Domestic Assistance.

RELATED COMMITTEE AND SUBCOMMITTEE HEARINGS

Pursuant to clause 3(c)(6) of rule XIII, the following related hearing was used to develop or consider H.R. 7386:

- On September 9, 2025, the Subcommittee on Communications and Technology held a hearing entitled, “Public Safety Communications in the United States.” The Subcommittee received testimony from:
 - Steve Newton, Emergency Management Director, Chatham County Emergency Management;
 - Sheriff Shannon Dicus, San Bernadino County;
 - Dr. Brian Fontes, Former Chief Executive Officer, National Emergency Number Association; and
 - Randall C. Wright, Executive Director, WUFT/WRUF, Florida Public Radio Emergency Network, and Project Beacon
- On February 4, 2026, the Subcommittee on Communications and Technology held a legislative hearing entitled, “Eval-

uating FirstNet: Performance, Accountability, and Reauthorization.” The Subcommittee received testimony from:

- Sheriff Michael Adkinson, Acting Board Chair, First Responder Network Authority, and Sheriff, Walton County, Florida;
- Scott Agnew, President of FirstNet and Public Safety Mobility, AT&T; and
- Michael Dame, Associate Administrator, Office of Public Safety Communications, National Telecommunications and Information Administration.

COMMITTEE COST ESTIMATE

Pursuant to clause 3(d)(1) of rule XIII, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974. At the time this report was filed, the estimate was not available.

EARMARK, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9(e), 9(f), and 9(g) of rule XXI, the Committee finds that H.R. 7386 contains no earmarks, limited tax benefits, or limited tariff benefits.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title; table of contents

This section provides that the Act may be cited as the “First Responder Network Authority Reauthorization Act of 2026” and provides a table of contents.

Section 2. Reauthorization of First Responder Network Authority

This section extends the authorization of the First Responder Network Authority (FirstNet) until September 30, 2037. It also requires a new Government Accountability Report on what action Congress should take regarding the termination of FirstNet’s authority in 2037. Additionally, the report must include recommendations for Congress and the National Telecommunications and Information Administration (NTIA) regarding preparations for the expiration of the contract between FirstNet and AT&T in 2042.

Section 3. Authority of NTIA over First Responder Network Authority

Subsection (a) places FirstNet under direct authority of NTIA at the Department of Commerce. This section clarifies that all actions

taken by FirstNet are subject to NTIA approval and provides a specific list of actions that the Board may take without prior approval by NTIA. A 60-day shot clock is established for NTIA to take action on network reinvestment decisions and task orders.

Subsection (b) includes a conforming amendment within the original statute.

Subsection (c) clarifies applicability with respect to the enactment of this Act.

Section 4. Board of First Responder Network Authority

Subsection (a) increases the minimum number of public safety professionals required for representation on the Board of FirstNet from 3 to 5, while keeping the total number of the Board at 15 members.

Subsection (b) provides a technical change to give the Assistant Secretary flexibility to stagger board terms upon appointment to ensure staggering consistency where 4 seats expire each year.

Section 5. Associate Administrator

Subsection (a) establishes an Associate Administrator position, folding in the current responsibilities of the existing FirstNet Executive Director and Chief Executive Officer, as a Career Senior Executive Service level official appointed by the Assistant Secretary. The Assistant Secretary is required to make an appointment from a selection of 3 individuals nominated by the FirstNet Board and is subject to annual performance reviews by NTIA in consultation with the FirstNet Board.

Subsection (b) clarifies that the current Executive Director and Chief Executive Officer may serve as the Associate Administrator without appointment after the enactment of this Act.

Section 6. Components of nationwide public safety broadband network

This section amends the definition of the nationwide public safety broadband network to include an expanded scope of technology.

Section 7. Flexibility in establishing fee amounts

This section provides a technical change that allows fee structures to cross over multiple fiscal years.

Section 8. Reports to Congress on First Responder Network Authority

Subsection (a) includes in the required annual audit report an evaluation of the performance of the FirstNet contractor.

Subsection (b) establishes two additional annual reports on network matters, including cybersecurity related matters and other unscheduled service affecting outages, and adoption rate statistics related to the nationwide public safety broadband network.

Subsection (c) requires an annual briefing from NTIA, with participation by the Board, to Congress on activities related to FirstNet.

Section 9. Business continuity and disaster recovery plan

This section requires the FirstNet contractor to submit to NTIA for approval and to the Board for review, a plan to ensure rapid

restoration of the nationwide public safety broadband network following an outage resulting from a natural disaster or other emergency.

Section 10. Outage notifications

This section requires all unscheduled service affecting outages related to the network to be reported to FirstNet and directly to departments and agencies that utilize the network as soon as practicable, but not later than 30 minutes after confirming the outage.

Section 11. Submission to Congress of FirstNet contract

This section requires the Assistant Secretary of NTIA to submit to the Committee on Energy and Commerce of the House of Representatives, or to the Committee on Commerce, Science, and Transportation of the Senate, the contract between the First Responder Network Authority and the FirstNet Contractor within 7 days of receiving a request in writing from the Chairman and Ranking Member of such committees, respectively.

Section 12. Definitions

This section provides the definition for ‘FirstNet contractor’.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

**MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF
2012**

* * * * *

TITLE VI—PUBLIC SAFETY COMMUNICATIONS AND ELECTROMAGNETIC SPECTRUM AUCTIONS

SEC. 6001. DEFINITIONS.

In this title:

(1) 700 MHZ BAND.—The term “700 MHz band” means the portion of the electromagnetic spectrum between the frequencies from 698 megahertz to 806 megahertz.

(2) 700 MHZ D BLOCK SPECTRUM.—The term “700 MHz D block spectrum” means the portion of the electromagnetic spectrum between the frequencies from 758 megahertz to 763 megahertz and between the frequencies from 788 megahertz to 793 megahertz.

(3) APPROPRIATE COMMITTEES OF CONGRESS.—Except as otherwise specifically provided, the term “appropriate committees of Congress” means—

- (A) the Committee on Commerce, Science, and Transportation of the Senate; and
- (B) the Committee on Energy and Commerce of the House of Representatives.
- (4) ASSISTANT SECRETARY.—The term “Assistant Secretary” means the Assistant Secretary of Commerce for Communications and Information.
- (5) BOARD.—The term “Board” means the Board of the First Responder Network Authority established under section 6204(b).
- (6) BROADCAST TELEVISION LICENSEE.—The term “broadcast television licensee” means the licensee of—
 - (A) a full-power television station; or
 - (B) a low-power television station that has been accorded primary status as a Class A television licensee under section 73.6001(a) of title 47, Code of Federal Regulations.
- (7) BROADCAST TELEVISION SPECTRUM.—The term “broadcast television spectrum” means the portions of the electromagnetic spectrum between the frequencies from 54 megahertz to 72 megahertz, from 76 megahertz to 88 megahertz, from 174 megahertz to 216 megahertz, and from 470 megahertz to 698 megahertz.
- (8) COMMERCIAL MOBILE DATA SERVICE.—The term “commercial mobile data service” means any mobile service (as defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153)) that is—
 - (A) a data service;
 - (B) provided for profit; and
 - (C) available to the public or such classes of eligible users as to be effectively available to a substantial portion of the public, as specified by regulation by the Commission.
- (9) COMMERCIAL MOBILE SERVICE.—The term “commercial mobile service” has the meaning given such term in section 332 of the Communications Act of 1934 (47 U.S.C. 332).
- (10) COMMERCIAL STANDARDS.—The term “commercial standards” means the technical standards followed by the commercial mobile service and commercial mobile data service industries for network, device, and Internet Protocol connectivity. Such term includes standards developed by the Third Generation Partnership Project (3GPP), the Institute of Electrical and Electronics Engineers (IEEE), the Alliance for Telecommunications Industry Solutions (ATIS), the Internet Engineering Task Force (IETF), and the International Telecommunication Union (ITU).
- (11) COMMISSION.—The term “Commission” means the Federal Communications Commission.
- (12) CORE NETWORK.—The term “core network” means the core network described in section 6202(b)(1).
- (13) EMERGENCY CALL.—The term “emergency call” means any real-time communication with a public safety answering point or other emergency management or response agency, including—
 - (A) through voice, text, or video and related data; and

(B) nonhuman-initiated automatic event alerts, such as alarms, telematics, or sensor data, which may also include real-time voice, text, or video communications.

(14) EXISTING PUBLIC SAFETY BROADBAND SPECTRUM.—The term “existing public safety broadband spectrum” means the portion of the electromagnetic spectrum between the frequencies—

- (A) from 763 megahertz to 768 megahertz;
- (B) from 793 megahertz to 798 megahertz;
- (C) from 768 megahertz to 769 megahertz; and
- (D) from 798 megahertz to 799 megahertz.

(15) FIRSTNET CONTRACTOR.—*The term “FirstNet contractor” means the entity that, under contract with the First Responder Network Authority, builds, operates, and maintains the nationwide public safety broadband network.*

[(15)] (16) FIRST RESPONDER NETWORK AUTHORITY.—The term “First Responder Network Authority” means the First Responder Network Authority established under section 6204.

[(16)] (17) FORWARD AUCTION.—The term “forward auction” means the portion of an incentive auction of broadcast television spectrum under section 6403(c).

[(17)] (18) INCENTIVE AUCTION.—The term “incentive auction” means a system of competitive bidding under subparagraph (G) of section 309(j)(8) of the Communications Act of 1934, as added by section 6402.

[(18)] (19) INTEROPERABILITY BOARD.—The term “Interoperability Board” means the Technical Advisory Board for First Responder Interoperability established under section 6203.

[(19)] (20) MULTICHANNEL VIDEO PROGRAMMING DISTRIBUTOR.—The term “multichannel video programming distributor” has the meaning given such term in section 602 of the Communications Act of 1934 (47 U.S.C. 522).

[(20)] (21) NARROWBAND SPECTRUM.—The term “narrowband spectrum” means the portion of the electromagnetic spectrum between the frequencies from 769 megahertz to 775 megahertz and between the frequencies from 799 megahertz to 805 megahertz.

[(21)] (22) NATIONWIDE PUBLIC SAFETY BROADBAND NETWORK.—The term “nationwide public safety broadband network” means the nationwide, interoperable public safety broadband network described in section 6202.

[(22)] (23) NEXT GENERATION 9-1-1 SERVICES.—The term “Next Generation 9-1-1 services” means an IP-based system comprised of hardware, software, data, and operational policies and procedures that—

- (A) provides standardized interfaces from emergency call and message services to support emergency communications;
- (B) processes all types of emergency calls, including voice, text, data, and multimedia information;
- (C) acquires and integrates additional emergency call data useful to call routing and handling;
- (D) delivers the emergency calls, messages, and data to the appropriate public safety answering point and other appropriate emergency entities;

(E) supports data or video communications needs for coordinated incident response and management; and

(F) provides broadband service to public safety answering points or other first responder entities.

[(23)] (24) NIST.—The term “NIST” means the National Institute of Standards and Technology.

[(24)] (25) NTIA.—The term “NTIA” means the National Telecommunications and Information Administration.

[(25)] (26) 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).

[(26)] (27) PUBLIC SAFETY ENTITY.—The term “public safety entity” means an entity that provides public safety services.

[(27)] (28) PUBLIC SAFETY SERVICES.—The term “public safety services”—

(A) has the meaning given the term in section 337(f) of the Communications Act of 1934 (47 U.S.C. 337(f)); and

(B) includes services provided by emergency response providers, as that term is defined in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).

[(28)] (29) PUBLIC SAFETY TRUST FUND.—The term “Public Safety Trust Fund” means the trust fund established under section 6413(a)(1).

[(29)] (30) RADIO ACCESS NETWORK.—The term “radio access network” means the radio access network described in section 6202(b)(2).

[(30)] (31) REVERSE AUCTION.—The term “reverse auction” means the portion of an incentive auction of broadcast television spectrum under section 6403(a), in which a broadcast television licensee may submit bids stating the amount it would accept for voluntarily relinquishing some or all of its broadcast television spectrum usage rights.

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

[(32)] (33) ULTRA HIGH FREQUENCY.—The term “ultra high frequency” means, with respect to a television channel, that the channel is located in the portion of the electromagnetic spectrum between the frequencies from 470 megahertz to 698 megahertz.

[(33)] (34) VERY HIGH FREQUENCY.—The term “very high frequency” means, with respect to a television channel, that the channel is located in the portion of the electromagnetic spectrum between the frequencies from 54 megahertz to 72 megahertz, from 76 megahertz to 88 megahertz, or from 174 megahertz to 216 megahertz.

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Subtitle B—Governance of Public Safety Spectrum

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SEC. 6202. PUBLIC SAFETY BROADBAND NETWORK.

(a) **ESTABLISHMENT.**—The First Responder Network Authority shall ensure the establishment of a nationwide, interoperable public safety broadband network.

(b) **NETWORK COMPONENTS.**—The nationwide public safety broadband network shall be based on a single, national network architecture that evolves with technological advancements **[and initially consists of]** *and consists of such technologies and services as necessary to enable secure, interoperable, resilient, and prioritized broadband communications for public safety entities, including—*

(1) a core network that—

(A) consists of national and regional data centers, and other elements and functions that may be distributed geographically, all of which shall be based on commercial standards; and

(B) provides the connectivity between—

(i) the radio access network; and

(ii) the public Internet or the public switched network, or both; and

(2) a radio access network that—

(A) consists of all cell site equipment, antennas, and backhaul equipment, based on commercial standards, that are required to enable wireless communications with devices using the public safety broadband spectrum; and

(B) shall be developed, constructed, managed, maintained, and operated taking into account the plans developed in the State, local, and tribal planning and implementation grant program under section 6302(a).

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SEC. 6204. ESTABLISHMENT OF THE FIRST RESPONDER NETWORK AUTHORITY.

(a) **ESTABLISHMENT.**—There is established **[as an independent authority]** within the NTIA the “First Responder Network Authority” or “FirstNet”.

(b) **BOARD.**—

(1) **IN GENERAL.**—The First Responder Network Authority shall be headed by a Board, which shall consist of—

(A) the Secretary of Homeland Security;

(B) the Attorney General of the United States;

(C) the Director of the Office of Management and Budget; and

(D) 12 individuals appointed by the Secretary of Commerce in accordance with paragraph (2).

(2) **APPOINTMENTS.**—

(A) **IN GENERAL.**—In making appointments under paragraph (1)(D), the Secretary of Commerce shall—

(i) appoint not fewer than 3 individuals to represent the collective interests of the States, localities, tribes, and territories;

(ii) seek to ensure geographic and regional representation of the United States in such appointments;

(iii) seek to ensure rural and urban representation in such appointments; and

[(iv) appoint not fewer than 3 individuals who have served as public safety professionals.]

(iv) ensure that, on and after the date that is 3 years after the date of the enactment of the First Responder Network Authority Reauthorization Act of 2026, the Board includes not fewer than 5 individuals serving as State, local, or Tribal public safety professionals in the fields of fire response services, emergency medical services, emergency management services, law enforcement, or 9–1–1 services.

(B) REQUIRED QUALIFICATIONS.—

(i) IN GENERAL.—Each member appointed under paragraph (1)(D) should meet not less than 1 of the following criteria:

(I) PUBLIC SAFETY EXPERIENCE.—Knowledge and experience in the use of Federal, State, local, or tribal public safety or emergency response.

(II) TECHNICAL EXPERTISE.—Technical expertise and fluency regarding broadband communications, including public safety communications.

(III) NETWORK EXPERTISE.—Expertise in building, deploying, and operating commercial telecommunications networks.

(IV) FINANCIAL EXPERTISE.—Expertise in financing and funding telecommunications networks.

(ii) EXPERTISE TO BE REPRESENTED.—In making appointments under paragraph (1)(D), the Secretary of Commerce shall appoint—

(I) not fewer than 1 individual who satisfies the requirement under subclause (II) of clause (i);

(II) not fewer than 1 individual who satisfies the requirement under subclause (III) of clause (i); and

(III) not fewer than 1 individual who satisfies the requirement under subclause (IV) of clause (i).

(C) CITIZENSHIP.—No individual other than a citizen of the United States may serve as a member of the Board.

(c) TERMS OF APPOINTMENT.—

(1) INITIAL APPOINTMENT DEADLINE.—Members of the Board shall be appointed not later than 180 days after the date of the enactment of this title.

(2) TERMS.—

(A) LENGTH.—

(i) IN GENERAL.—Each member of the Board described in subparagraphs (A) through (C) of subsection (b)(1) shall serve as a member of the Board for the life of the First Responder Network Authority.

(ii) APPOINTED INDIVIDUALS.—The term of office of each individual appointed to be a member of the Board under subsection (b)(1)(D) shall be [3 years] *not more than 3 years*. No member described in this clause may serve more than 2 consecutive full 3-year terms.

(B) EXPIRATION OF TERM.—Any member whose term has expired may serve until such member's successor has

taken office, or until the end of the calendar year in which such member's term has expired, whichever is earlier.

(C) APPOINTMENT TO FILL VACANCY.—Any member appointed to fill a vacancy occurring prior to the expiration of the term for which that member's predecessor was appointed shall be appointed for the remainder of the predecessor's term.

[(D) STAGGERED TERMS.—With respect to the initial members of the Board appointed under subsection (b)(1)(D)—

[(i) 4 members shall serve for a term of 3 years;

[(ii) 4 members shall serve for a term of 2 years;

and

[(iii) 4 members shall serve for a term of 1 year.]

(D) STAGGERED TERMS.—*In making appointments under subsection (b)(1)(D), the Secretary of Commerce shall ensure that the terms of office of individuals so appointed are staggered, as the Secretary considers appropriate to reduce the likelihood that the terms of office of more than 4 such individuals will expire at the same time.*

(3) VACANCIES.—A vacancy in the membership of the Board shall not affect the Board's powers, and shall be filled in the same manner as the original member was appointed.

(d) CHAIR.—

(1) SELECTION.—The Secretary of Commerce shall select, from among the members of the Board appointed under subsection (b)(1)(D), an individual to serve for a 2-year term as Chair of the Board.

(2) CONSECUTIVE TERMS.—An individual may not serve for more than 2 consecutive terms as Chair of the Board.

(e) MEETINGS.—

(1) FREQUENCY.—The Board shall meet—

(A) at the call of the Chair; and

(B) not less frequently than once each quarter.

(2) TRANSPARENCY.—Meetings of the Board, including any committee of the Board, shall be open to the public. The Board may, by majority vote, close any such meeting only for the time necessary to preserve the confidentiality of commercial or financial information that is privileged or confidential, to discuss personnel matters, or to discuss legal matters affecting the First Responder Network Authority, including pending or potential litigation.

(f) QUORUM.—Eight members of the Board shall constitute a quorum, including at least 6 of the members appointed under subsection (b)(1)(D).

(g) COMPENSATION.—

(1) IN GENERAL.—The members of the Board appointed under subsection (b)(1)(D) shall be compensated at the daily rate of basic pay for level IV of the Executive Schedule for each day during which such members are engaged in performing a function of the Board.

(2) PROHIBITION ON COMPENSATION.—A member of the Board appointed under subparagraphs (A) through (C) of subsection (b)(1) shall serve without additional pay, and shall not otherwise benefit, directly or indirectly, as a result of their service

to the First Responder Network Authority, but shall be allowed a per diem allowance for travel expenses, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the First Responder Network Authority.

(h) *ASSOCIATE ADMINISTRATOR.*—

(1) *IN GENERAL.*—*The First Responder Network Authority shall have an Associate Administrator, who shall be a career appointee (as defined in section 3132(a) of title 5, United States Code) in the Senior Executive Service and who shall be appointed by the Assistant Secretary from among 3 individuals nominated by the Board. The Assistant Secretary shall make such appointment under the merit procedures applicable to appointing such career appointees under subchapter II of chapter 31 of such title 5.*

(2) *DUTIES.*—*The Associate Administrator shall do the following:*

(A) *Subject to the direction of the Board and approval by the Assistant Secretary under section 6206(d), manage the staff and operations of the First Responder Network Authority in order to ensure that the duties and responsibilities of the First Responder Network Authority are carried out.*

(B) *Serve as a liaison between the Board and the Assistant Secretary, including with respect to ensuring compliance by the First Responder Network Authority with section 6206(d).*

(3) *ANNUAL PERFORMANCE REVIEWS.*—*The NTIA, in consultation with the Chair of the Board and any committee of the Board relating to governance and risk, shall conduct an annual performance review of the Associate Administrator.*

SEC. 6205. ADVISORY COMMITTEES OF THE FIRST RESPONDER NETWORK AUTHORITY.

(a) *ADVISORY COMMITTEES.*—*The First Responder Network Authority—*

(1) *shall establish a standing public safety advisory committee to assist the First Responder Network Authority in carrying out its duties and responsibilities under this subtitle; and*

(2) *may establish additional standing or ad hoc committees, panels, or councils as the First Responder Network Authority determines are necessary.*

(b) *SELECTION OF AGENTS, CONSULTANTS, AND EXPERTS.*—

(1) *IN GENERAL.*—*The First Responder Network Authority shall select parties to serve as its agents, consultants, or experts in a fair, transparent, and objective manner, and such agents may include a program manager to carry out certain of the duties and responsibilities of deploying and operating the nationwide public safety broadband network described in subsections (b) and (c) of section 6206.*

(2) *BINDING AND FINAL.*—*[If] Subject to section 6206(d), if the selection of an agent, consultant, or expert satisfies the requirements under paragraph (1), the selection of that agent, consultant, or expert shall be final and binding.*

SEC. 6206. POWERS, DUTIES, AND RESPONSIBILITIES OF THE FIRST RESPONDER NETWORK AUTHORITY.

(a) **GENERAL POWERS.**—The First Responder Network Authority shall have the authority to do the following:

(1) To exercise, through the actions of its Board, all powers specifically granted by the provisions of this subtitle, and such incidental powers as shall be necessary.

(2) To hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the First Responder Network Authority considers necessary to carry out its responsibilities and duties.

(3) To obtain grants and funds from and make contracts with individuals, private companies, organizations, institutions, and Federal, State, regional, and local agencies.

(4) To accept, hold, administer, and utilize gifts, donations, and bequests of property, both real and personal, for the purposes of aiding or facilitating the work of the First Responder Network Authority.

(5) To spend funds under paragraph (3) in a manner authorized by the Board, but only for purposes that will advance or enhance public safety communications consistent with this title.

(6) To take such other actions as the First Responder Network Authority (through the Board) may from time to time determine necessary, appropriate, or advisable to accomplish the purposes of this title.

(b) **DUTY AND RESPONSIBILITY TO DEPLOY AND OPERATE A NATIONWIDE PUBLIC SAFETY BROADBAND NETWORK.**—

(1) **IN GENERAL.**—The First Responder Network Authority shall hold the single public safety wireless license granted under section 6201 and take all actions necessary to ensure the building, deployment, and operation of the nationwide public safety broadband network, in consultation with Federal, State, tribal, and local public safety entities, the Director of NIST, the Commission, and the public safety advisory committee established in section 6205(a), including by, at a minimum—

(A) ensuring nationwide standards for use and access of the network;

(B) issuing open, transparent, and competitive requests for proposals to private sector entities for the purposes of building, operating, and maintaining the network that use, without materially changing, the minimum technical requirements developed under section 6203;

(C) encouraging that such requests leverage, to the maximum extent economically desirable, existing commercial wireless infrastructure to speed deployment of the network; and

(D) managing and overseeing the implementation and execution of contracts or agreements with non-Federal entities to build, operate, and maintain the network.

(2) **REQUIREMENTS.**—In carrying out the duties and responsibilities of this subsection, including issuing requests for proposals, the First Responder Network Authority shall—

- (A) ensure the safety, security, and resiliency of the network, including requirements for protecting and monitoring the network to protect against cyberattack;
 - (B) promote competition in the equipment market, including devices for public safety communications, by requiring that equipment for use on the network be—
 - (i) built to open, non-proprietary, commercially available standards;
 - (ii) capable of being used by any public safety entity and by multiple vendors across all public safety broadband networks operating in the 700 MHz band; and
 - (iii) backward-compatible with existing commercial networks to the extent that such capabilities are necessary and technically and economically reasonable;
 - (C) promote integration of the network with public safety answering points or their equivalent; and
 - (D) address special considerations for areas or regions with unique homeland security or national security needs.
- (3) RURAL COVERAGE.—In carrying out the duties and responsibilities of this subsection, including issuing requests for proposals, the nationwide, interoperable public safety broadband network, consistent with the license granted under section 6201, shall require deployment phases with substantial rural coverage milestones as part of each phase of the construction and deployment of the network. To the maximum extent economically desirable, such proposals shall include partnerships with existing commercial mobile providers to utilize cost-effective opportunities to speed deployment in rural areas.
- (4) EXECUTION OF AUTHORITY.—In carrying out the duties and responsibilities of this subsection, the First Responder Network Authority may—
- (A) obtain grants from and make contracts with individuals, private companies, and Federal, State, regional, and local agencies;
 - (B) hire or accept voluntary services of consultants, experts, advisory boards, and panels to aid the First Responder Network Authority in carrying out such duties and responsibilities;
 - (C) receive payment for use of—
 - (i) network capacity licensed to the First Responder Network Authority; and
 - (ii) network infrastructure constructed, owned, or operated by the First Responder Network Authority; and
 - (D) take such other actions as may be necessary to accomplish the purposes set forth in this subsection.
- (c) OTHER SPECIFIC DUTIES AND RESPONSIBILITIES.—
- (1) ESTABLISHMENT OF NETWORK POLICIES.—In carrying out the requirements under subsection (b), the First Responder Network Authority shall develop—
- (A) requests for proposals with appropriate—
 - (i) timetables for construction, including by taking into consideration the time needed to build out to rural areas and the advantages offered through part-

nerships with existing commercial providers under paragraph (3);

(ii) coverage areas, including coverage in rural and nonurban areas;

(iii) service levels;

(iv) performance criteria; and

(v) other similar matters for the construction and deployment of such network;

(B) the technical and operational requirements of the network;

(C) practices, procedures, and standards for the management and operation of such network;

(D) terms of service for the use of such network, including billing practices; and

(E) ongoing compliance review and monitoring of the—

(i) management and operation of such network;

(ii) practices and procedures of the entities operating on and the personnel using such network; and

(iii) necessary training needs of network operators and users.

(2) STATE AND LOCAL PLANNING.—

(A) REQUIRED CONSULTATION.—In developing requests for proposals and otherwise carrying out its responsibilities under this Act, the First Responder Network Authority shall consult with regional, State, tribal, and local jurisdictions regarding the distribution and expenditure of any amounts required to carry out the policies established under paragraph (1), including with regard to the—

(i) construction of a core network and any radio access network build out;

(ii) placement of towers;

(iii) coverage areas of the network, whether at the regional, State, tribal, or local level;

(iv) adequacy of hardening, security, reliability, and resiliency requirements;

(v) assignment of priority to local users;

(vi) assignment of priority and selection of entities seeking access to or use of the nationwide public safety interoperable broadband network established under subsection (b); and

(vii) training needs of local users.

(B) METHOD OF CONSULTATION.—The consultation required under subparagraph (A) shall occur between the First Responder Network Authority and the single officer or governmental body designated under section 6302(d).

(3) LEVERAGING EXISTING INFRASTRUCTURE.—In carrying out the requirement under subsection (b), the First Responder Network Authority shall enter into agreements to utilize, to the maximum extent economically desirable, existing—

(A) commercial or other communications infrastructure; and

(B) Federal, State, tribal, or local infrastructure.

(4) MAINTENANCE AND UPGRADES.—The First Responder Network Authority shall ensure the maintenance, operation, and improvement of the nationwide public safety broadband net-

work, including by ensuring that the First Responder Network Authority updates and revises any policies established under paragraph (1) to take into account new and evolving technologies.

(5) ROAMING AGREEMENTS.—The First Responder Network Authority shall negotiate and enter into, as it determines appropriate, roaming agreements with commercial network providers to allow the nationwide public safety broadband network to roam onto commercial networks and gain prioritization of public safety communications over such networks in times of an emergency.

(6) NETWORK INFRASTRUCTURE AND DEVICE CRITERIA.—The Director of NIST, in consultation with the First Responder Network Authority and the Commission, shall ensure the development of a list of certified devices and components meeting appropriate protocols and standards for public safety entities and commercial vendors to adhere to, if such entities or vendors seek to have access to, use of, or compatibility with the nationwide public safety broadband network.

(7) REPRESENTATION BEFORE STANDARD SETTING ENTITIES.—The First Responder Network Authority, in consultation with the Director of NIST, the Commission, and the public safety advisory committee established under section 6205(a), shall represent the interests of public safety users of the nationwide public safety broadband network before any proceeding, negotiation, or other matter in which a standards organization, standards body, standards development organization, or any other recognized standards-setting entity addresses the development of standards relating to interoperability.

(8) PROHIBITION ON NEGOTIATION WITH FOREIGN GOVERNMENTS.—The First Responder Network Authority shall not have the authority to negotiate or enter into any agreements with a foreign government on behalf of the United States.

(d) ACTIONS SUBJECT TO APPROVAL OF NTIA

(1) IN GENERAL.—Any action taken by the First Responder Network Authority shall be subject to the approval of the NTIA.

(2) MANNER OF APPROVAL.—

(A) PRIOR APPROVAL.—Except as provided in subparagraph (B), the First Responder Network Authority may not take an action unless the NTIA has provided prior approval for such action.

(B) ACTIONS FOR WHICH PRIOR APPROVAL NOT REQUIRED.—The First Responder Network Authority may take any of the following actions without prior approval by the NTIA:

(i) Deploying emergency response capabilities and resources to emergencies and disasters.

(ii) Setting strategic priorities and conducting planning activities with respect to the nationwide public safety broadband network.

(iii) Maintaining and updating the First Responder Network Authority Strategic Plan and Roadmap or a similar document with respect to the growth, evolution, and advancement of the nationwide public safety broadband network.

(iv) *Establishing performance expectations and investment priorities with respect to the nationwide public safety broadband network.*

(v) *Developing and adopting the annual budget of the First Responder Network Authority and outlining all network reinvestment decisions and task orders with respect to the nationwide public safety broadband network.*

(vi) *Making written recommendations to the NTIA for action upon network reinvestment decisions and task orders with respect to the nationwide public safety broadband network.*

(vii) *Managing the device and application ecosystem with respect to the nationwide public safety broadband network.*

(viii) *Receiving reports from the Public Safety Advisory Committee or other advisory committees established by the First Responder Network Authority.*

(ix) *Communicating with and conducting outreach to public safety entities and public safety professionals.*

(x) *Reporting to and briefing Congress, in accordance with this subtitle.*

(xi) *Such other actions as the NTIA may specify.*

(C) **RULE OF CONSTRUCTION.**—*Nothing in this paragraph may be construed to alter the requirement of subsection (c) of section 6208 that fees may only be assessed under such section if approved by the NTIA.*

[(d)] (e) **EXEMPTION FROM CERTAIN LAWS.**—Any action taken or decisions made by the First Responder Network Authority shall be exempt from the requirements of—

(1) section 3506 of title 44, United States Code (commonly referred to as the Paperwork Reduction Act);

(2) chapter 5 of title 5, United States Code (commonly referred to as the Administrative Procedures Act); and

(3) chapter 6 of title 5, United States Code (commonly referred to as the Regulatory Flexibility Act).

[(e)] (f) **NETWORK CONSTRUCTION FUND.**—

(1) **ESTABLISHMENT.**—There is established in the Treasury of the United States a fund to be known as the “Network Construction Fund”.

(2) **USE OF FUND.**—Amounts deposited into the Network Construction Fund shall be used by the—

(A) First Responder Network Authority to carry out this section, except for administrative expenses; and

(B) NTIA to make grants to States under section 6302(e)(3)(C)(iii)(I).

[(f)] (g) **TERMINATION OF AUTHORITY.**—The authority of the First Responder Network Authority shall terminate on [the date that is 15 years after the date of enactment of this title] *September 30, 2037.*

[(g)] (h) **GAO REPORT.**—[Not later than 10 years after the date of the enactment of this Act] *Not later than 7 years after the date of the enactment of the First Responder Network Authority Reauthorization Act of 2026,* the Comptroller General of the United States shall submit to Congress a report on what action Congress

should take regarding the **[15-year sunset]** *termination* of authority under **[subsection (f)]** *subsection (g)*. *Such report shall also contain recommendations for Congress and the NTIA regarding preparations for the expiration of any contract between the First Responder Network Authority and the FirstNet contractor with respect to building, operating, or maintaining the nationwide public safety broadband network.*

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SEC. 6208. PERMANENT SELF-FUNDING; DUTY TO ASSESS AND COLLECT FEES FOR NETWORK USE.

(a) **IN GENERAL.**—Notwithstanding section 337 of the Communications Act of 1934 (47 U.S.C. 337), the First Responder Network Authority is authorized to assess and collect the following fees:

(1) **NETWORK USER FEE.**—A user or subscription fee from each entity, including any public safety entity or secondary user, that seeks access to or use of the nationwide public safety broadband network.

(2) **LEASE FEES RELATED TO NETWORK CAPACITY.**—

(A) **IN GENERAL.**—A fee from any entity that seeks to enter into a covered leasing agreement.

(B) **COVERED LEASING AGREEMENT.**—For purposes of subparagraph (A), a “covered leasing agreement” means a written agreement resulting from a public-private arrangement to construct, manage, and operate the nationwide public safety broadband network between the First Responder Network Authority and secondary user to permit—

(i) access to network capacity on a secondary basis for non-public safety services; and

(ii) the spectrum allocated to such entity to be used for commercial transmissions along the dark fiber of the long-haul network of such entity.

(3) **LEASE FEES RELATED TO NETWORK EQUIPMENT AND INFRASTRUCTURE.**—A fee from any entity that seeks access to or use of any equipment or infrastructure, including antennas or towers, constructed or otherwise owned by the First Responder Network Authority resulting from a public-private arrangement to construct, manage, and operate the nationwide public safety broadband network.

(b) **ESTABLISHMENT OF FEE AMOUNTS; PERMANENT SELF-FUNDING.**—The total amount of the fees assessed for each fiscal year (*or other period specified by the First Responder Network Authority*) pursuant to this section shall be sufficient, and shall not exceed the amount necessary, to recoup the total expenses of the First Responder Network Authority in carrying out its duties and responsibilities described under this subtitle for **[the fiscal year involved]** *such fiscal year (or other period)*.

(c) **ANNUAL APPROVAL.**—The NTIA shall review the fees assessed under this section on an annual basis, and such fees may only be assessed if approved by the NTIA.

(d) **REQUIRED REINVESTMENT OF FUNDS.**—**[The First Responder Network Authority]**

(1) **IN GENERAL.**—*The First Responder Network Authority shall reinvest amounts received from the assessment of fees*

under this section in the nationwide public safety interoperable broadband network by using such funds only for constructing, maintaining, operating, or improving the network.

(2) *NTIA ACTION ON NETWORK REINVESTMENT DECISIONS AND TASK ORDERS.*—Not later than 60 days after the date on which the NTIA receives a written recommendation from the First Responder Network Authority for action upon a network reinvestment decision or task order with respect to the nationwide public safety broadband network, the NTIA shall take action upon such network reinvestment decision or task order.

SEC. 6209. AUDIT AND REPORT.

(a) AUDIT.—

(1) **IN GENERAL.**—The Secretary of Commerce shall enter into a contract with an independent auditor to conduct an audit, on an annual basis, of the First Responder Network Authority in accordance with general accounting principles and procedures applicable to commercial corporate transactions. Each audit conducted under this paragraph shall be made available to the appropriate committees of Congress.

(2) **LOCATION.**—Any audit conducted under paragraph (1) shall be conducted at the place or places where accounts of the First Responder Network Authority are normally kept.

(3) **ACCESS TO FIRST RESPONDER NETWORK AUTHORITY BOOKS AND DOCUMENTS.**—

(A) **IN GENERAL.**—For purposes of an audit conducted under paragraph (1), the representatives of the independent auditor shall—

(i) have access to all books, accounts, records, reports, files, and all other papers, things, or property belonging to or in use by the First Responder Network Authority that pertain to the financial transactions of the First Responder Network Authority and are necessary to facilitate the audit; and

(ii) be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians.

(B) **REQUIREMENT.**—All books, accounts, records, reports, files, papers, and property of the First Responder Network Authority shall remain in the possession and custody of the First Responder Network Authority.

(b) REPORT.—

(1) **IN GENERAL.**—The independent auditor selected to conduct an audit under this section shall submit a report of each audit conducted under subsection (a) to—

(A) the appropriate committees of Congress;

(B) the President; and

(C) the First Responder Network Authority.

(2) **CONTENTS.**—Each report submitted under paragraph (1) shall contain—

(A) such comments and information as the independent auditor determines necessary to inform Congress of the financial operations and condition of the First Responder Network Authority;

(B) any recommendations of the independent auditor relating to the financial operations and condition of the First Responder Network Authority[; and];

(C) a description of any program, expenditure, or other financial transaction or undertaking of the First Responder Network Authority that was observed during the course of the audit, which, in the opinion of the independent auditor, has been carried on or made without the authority of law[.]; and

(D) an evaluation of the performance of the FirstNet contractor under the contract in building, operating, and maintaining the nationwide public safety broadband network.

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SEC. 6214. ANNUAL REPORTS ON FIRST RESPONDER NETWORK AUTHORITY.

(a) *REPORT ON NETWORK MATTERS.*—The NTIA shall submit to Congress an annual report that includes information on cyberattacks, cyber defense efforts, and unscheduled service outages of all causes with respect to the nationwide public safety broadband network. Each such annual report—

(1) shall be submitted in unclassified form, but may contain a classified annex; and

(2) at the request of the Board, shall include a statement from the Board with respect to such information.

(b) *REPORT ON ADOPTION RATES.*—The NTIA shall submit to Congress an annual report on adoption rates, by profession and geographic area, with respect to the nationwide public safety broadband network that, at the request of the Board, shall include a statement from the Board with respect to such adoption rates.

SEC. 6215. ANNUAL BRIEFINGS ON FIRST RESPONDER NETWORK AUTHORITY.

Not later than 1 year after the date of the enactment of this section, and annually thereafter, the NTIA shall provide to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a briefing on activities with respect to the First Responder Network Authority that, at the request of the Board, shall include the participation of the Chair of the Board (or a designee thereof).

SEC. 6216. BUSINESS CONTINUITY AND DISASTER RECOVERY PLAN.

(a) *IN GENERAL.*—Not later than 180 days after the date of the enactment of this section, and every 5 years thereafter, the FirstNet contractor shall submit to the NTIA for approval, and to the Board for review, a business continuity and disaster recovery plan to ensure rapid restoration of the nationwide public safety broadband network following an outage resulting from a natural disaster or other emergency.

(b) *TIMING OF APPROVAL OR REQUEST FOR RESUBMISSION.*—Not later than 180 days after the date on which the NTIA receives a plan submitted under this section, the NTIA, in consultation with the Board, shall—

(1) approve such plan; or

(2) provide to the FirstNet contractor a written notice of—

- (A) *the reasoning for not approving such plan; and*
- (B) *the timeframe and process, as determined by the NTIA, for resubmitting such plan for approval.*

SEC. 6217. OUTAGE NOTIFICATIONS.

In the case of any unscheduled service outage with respect to the nationwide public safety broadband network—

- (1) *as soon as practicable, but not later than 30 minutes, after the FirstNet contractor has confirmed such outage, the FirstNet contractor shall notify the First Responder Network Authority of such outage; and*
- (2) *the FirstNet contractor shall provide to the departments and agencies that use such network a network status tool that provides timely information on such outage.*

SEC. 6218. SUBMISSION TO CONGRESS OF FIRSTNET CONTRACT.

Not later than 7 days after receiving a request, in writing, from the Chair and Ranking Member of the Committee on Energy and Commerce of the House of Representatives, or from the Chair and Ranking Member of the Committee on Commerce, Science, and Transportation of the Senate, the Assistant Secretary shall submit to such Committee any contract between the First Responder Network Authority and the FirstNet contractor with respect to building, operating, or maintaining the nationwide public safety broadband network.

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