

“(2) whose interests may be substantially affected by the performance or nonperformance of the Commissioner’s or employee’s official duties.

“(b) AUTHORIZATION OF APPROPRIATIONS FOR OFFICIAL TRAVEL.—There are authorized to be appropriated, for each of fiscal years 2009 through 2011, \$1,200,000 to the Commission for travel, subsistence, and related expenses necessary in furtherance of the official duties of Commissioners and employees.”

(b) CONFORMING AMENDMENT.—The table of contents, as amended by section 30 of this Act, is further amended by inserting after the item relating to section 40 the following: “Sec. 42. Prohibition on industry-sponsored travel.”

**SA 4086.** Mr. NELSON of Florida (for Mr. INOUE (for himself and Mr. STEVENS)) proposed an amendment to the bill S. 428, to amend the Wireless Communications and Public Safety Act of 1999, and for other purposes; as follows:

On page 11, strike lines 1 through 7 and insert the following:

“(e) FCC AUTHORITY TO REQUIRE 9-1-1 SERVICE.—The Commission may require any provider of a voice service that is a substitute for telephone exchange service (as defined in section 3(47) of the Communications Act of 1934 (47 U.S.C. 153(47))) to provide 9-1-1 service, including enhanced 9-1-1 service, to its subscribers. Nothing in this subsection shall limit or otherwise affect the authority of the Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.).”

On page 11, beginning in line 12, strike “that term” and insert “the term ‘Interconnected VoIP Service’”.

On page 11, beginning in line 14, strike “(47 C.F.R. 9.3), as those regulations may be amended by the Commission from time to time.” and insert “(47 C.F.R. 9.3).”

On page 18, strike lines 8 through 17 and insert the following:

(b) AVAILABILITY OF PSAP INFORMATION.—The Federal Communications Commission may compile a list of public safety answering point contact information, as well as contact information for 9-1-1 component providers, for the purpose of assisting IP-enabled voice service providers and others in complying with this Act and section 158(d) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942(d)) as amended by subsection (a), and may make any portion of such information available to the public if such availability would improve public safety.

On page 19, line 13, insert “Federal Communications” after “The”

On page 20, after line 9, insert the following:

SEC. 7. Section 2301 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (47 U.S.C. 901 note) is amended by striking “the ‘Improving Emergency Communications Act of 2007.’” and inserting “the ‘911 Modernization Act.’”.

## NOTICES OF HEARINGS

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, March 4, 2008, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to receive testimony on the Energy Information Administration’s revised Annual Energy Outlook.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to Rosemarie\_Calabro@energy.senate.gov.

For further information, please contact Tara Billingsley at (202) 224-4756 or Rosemarie Calabro at (202) 224-5039.

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Wednesday, March 12, 2008 at 2:15 p.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to receive testimony on Hardrock Mining: Issues Relating to Abandoned Mine Lands and Uranium Mining.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to Gina\_Weinstock@energy.senate.gov.

For further information, please contact Patty Beneke at 202-224-5451 or Gina Weinstock at 202-224-5684.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON ARMED SERVICES

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, February 26, 2008, at 9:30 a.m., in open session in order to receive testimony on the Department of the Army in review of the defense authorization request for fiscal year 2009 and the future years defense program.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate in order to conduct a hearing on Tuesday, February 26, 2008, at 10 a.m., in room SD366 of the Dirksen Senate Office Building. At this hearing, the Committee will hear testimony regarding U.S. oil inventory policies, including the Strategic Petroleum Reserve policies.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FINANCE

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, February 26, 2008, at 10 a.m., in room 215 of the Dirksen Senate Office Building, in order to hear testimony on “Economic and Fiscal Conditions of the States.”

The PRESIDING OFFICER. Without objection, it is so ordered.

### SELECT COMMITTEE ON INTELLIGENCE

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 26, 2008, at 2:30 p.m. in order to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

## UNANIMOUS CONSENT REQUEST—H.R. 1254

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 435, H.R. 1254, the Presidential Library Donation Reform Act of 2007; that the committee-reported amendments be considered and agreed to; that the bill, as amended, be read a third time, passed, and the motion to reconsider be laid upon the table; and that any statements relating to the bill be printed in the RECORD, as if read, without further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. Mr. President, reserving the right to object, I ask the Senator to modify his request to include an amendment I have at the desk which makes the bill applicable to Presidents serving on or after January 21, 2009.

The PRESIDING OFFICER. Does the Senator so modify his request?

Mr. NELSON of Florida. Mr. President, there is an objection. I object.

The PRESIDING OFFICER. The Senator declines to modify his original request. Is there an objection to the request as originally stated?

Mr. STEVENS. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. STEVENS. Mr. President, I want to clarify why I am objecting to the passage of H.R. 1254, the Presidential Library Donation Reform Act, in its current form.

In the past, I supported a bill very similar to this. I have always supported transparency in these matters.

My concern is in the fairness of passing this legislation today. When this legislation was introduced at the very beginning of this administration’s tenure, I supported it because it would have provided sufficient notice to the new administration of a change in reporting requirements.

However, this administration's final term is near an end, and I do not believe it is fair to change the rules on them.

This administration has complied with the existing procedures. Changing them now would put a greater burden on them than any other past administration which already finished collecting the majority of donations for their libraries.

Enacting this bill to apply only to future administrations would solve this problem, and put them on notice of the new reporting requirements and procedures.

I have an amendment to this bill so that it will be enacted only to apply to administrations serving on or after January 21, 2009. If this amendment is accepted, I will be happy to support the legislation.

#### IP-ENABLED VOICE COMMUNICATIONS AND PUBLIC SAFETY ACT OF 2007

Mr. NELSON of Florida. Mr. President, I have a unanimous consent request that has been cleared on both sides. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 327, S. 428.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 428) to amend the Wireless Communications and Public Safety Act of 1999, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "IP-Enabled Voice Communications and Public Safety Act of 2007".

#### SEC. 2. DUTY TO PROVIDE 9-1-1 AND E-9-1-1 SERVICE.

(a) *IN GENERAL.*—The Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615 et seq.) is amended by adding at the end the following:

##### "SEC. 7. IP-ENABLED VOICE SERVICE PROVIDERS.

"(a) *IN GENERAL.*—It shall be the duty of every IP-enabled voice service provider engaged in interstate or foreign communication to provide 9-1-1 service, including enhanced 9-1-1 service, to its subscribers in accordance with orders of the Commission in effect on the date of enactment of the IP-Enabled Voice Communications and Public Safety Act of 2007, as such orders may be modified by the Commission from time to time.

"(b) *ACCESS TO 9-1-1 COMPONENTS.*—

"(1) *REGULATIONS.*—Within 90 days after the date of enactment of the IP-Enabled Voice Communications and Public Safety Act of 2007, the Commission shall issue regulations granting IP-enabled voice service providers right of access to 9-1-1 components that are necessary to provide 9-1-1 service, on the same rates, terms, and conditions that are provided to commercial mobile service providers. In promulgating the regulations, the Commission shall take into account any technical, network security, or information privacy issues that are specific to IP-enabled

voice services, including the security of 9-1-1 networks. The Commission shall require IP-enabled voice service providers to which the regulations apply to register with the Commission and to establish a point of contact for public safety and government officials relative to 9-1-1 service and access.

"(2) *DELEGATION OF ENFORCEMENT TO STATE COMMISSIONS.*—The Commission may delegate authority to enforce the regulations issued under paragraph (1) to State commissions or other State agencies or programs with jurisdiction over emergency communications.

"(c) *SAVINGS CLAUSE.*—Nothing in the IP-Enabled Voice Communications and Public Safety Act of 2007 shall be construed as repealing or otherwise altering, modifying, affecting, or superseding Federal regulations obligating an IP-enabled voice service provider to provide 9-1-1 service or enhanced 9-1-1 service.

"(d) *LIMITATION ON COMMISSION.*—Nothing in this section shall be construed to permit the Commission to issue regulations that require or impose a specific technology or technological standard.

"(e) *FCC AUTHORITY TO REQUIRE 9-1-1 SERVICE.*—The Federal Communications Commission is authorized to require other providers of communications services using wire or radio communication in interstate or foreign commerce to provide 9-1-1 service, including enhanced 9-1-1 service, to users for the purpose of promoting safety of life and property."

(b) *DEFINITIONS.*—Section 6 of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615b) is amended by adding at the end thereof the following:

"(8) *IP-ENABLED VOICE SERVICE.*—The term 'IP-enabled voice service' has the meaning given that term by section 9.3 of the Commission's regulations (47 C.F.R. 9.3), as those regulations may be amended by the Commission from time to time.

"(9) *IP-ENABLED 9-1-1 SERVICE.*—The term 'IP-enabled 9-1-1 service' means any 9-1-1 service provided by an IP-enabled voice service provider, including enhanced IP-enabled 9-1-1 service.

"(10) *ENHANCED IP-ENABLED 9-1-1 SERVICE.*—The term 'enhanced IP-enabled 9-1-1 service' means any enhanced 9-1-1 service so designated by the Federal Communications Commission in its Report and Order in WC Docket Nos. 04-36 and 05-196, or any successor proceeding.

"(11) *9-1-1 COMPONENT.*—The term '9-1-1 component' means any equipment, network, databases (including automatic location information databases and master street address guides), interface, selective router, trunkline, non-dialable p-ANI's, or other related facility necessary for the delivery and completion of 9-1-1 or E-9-1-1 calls and information related to such calls, as determined by the Commission."

#### SEC. 3. PARITY OF PROTECTION FOR PROVISION OR USE OF IP-ENABLED VOICE SERVICE.

(a) *IN GENERAL.*—Section 4 of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615a) is amended—

(1) by striking "carrier," in subsection (a) and inserting "carrier, IP-enabled voice service provider, or alternative emergency communications service provider,";

(2) by striking "its" the first place it appears in subsection (a) and inserting "their";

(3) by striking "emergency calls or emergency services." in subsection (a) and inserting "emergency calls, emergency services, or alternative emergency communications services.";

(4) by striking "service shall" in subsection (b) and inserting "service, or IP-enabled voice service, shall";

(5) by striking "wireless." in subsection (b) and inserting "wireless, IP-enabled, or alternative emergency communications.";

(6) by striking "communications," in subsection (c) and inserting "communications, IP-enabled voice service communications, or alternative emergency communications,"; and

(7) by striking "wireless." in subsection (c) and inserting "wireless, IP-enabled, or alternative emergency communications.".

(b) *DEFINITIONS.*—Section 6 of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615b), as amended by section 2(b), is further amended by adding at the end thereof the following:

"(12) *ALTERNATIVE EMERGENCY COMMUNICATIONS SERVICE.*—The term 'alternative emergency communications service' means the provision of emergency information to a public safety answering point via wire or radio communications, and may include 9-1-1 and enhanced 9-1-1 Services.

"(13) *ALTERNATIVE EMERGENCY COMMUNICATIONS SERVICE PROVIDER.*—The term 'alternative emergency communications service provider' means an entity other than a local exchange carrier, wireless carrier, or an IP-enabled voice service provider that is required by the Commission or, in the absence of any such requirement, is specifically authorized by the appropriate local or State 9-1-1 governing authority, to provide alternative emergency communications services."

#### SEC. 4. STATE AUTHORITY OF FEES.

Nothing in this Act, the Communications Act of 1934 (47 U.S.C. 151 et seq.), the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615a), or any Federal Communications Commission regulation or order shall prevent the imposition on, or collection by, a provider of IP-enabled voice services or commercial mobile service, of any fee or charge specifically designated by a State, political subdivision thereof, or Indian tribe for the support of 9-1-1 or E 099-1-1 services if that fee or charge—

(1) for IP-enabled voice services, does not exceed the amount of any such fee or charge imposed on or collected by a provider of telecommunications services; and

(2) is obligated or expended in support of 9-1-1 and E 099-1-1 services, or enhancements of such services, or other emergency communications services as specified in the provision of State or local law adopting the fee or charge.

#### SEC. 5. FEE ACCOUNTABILITY.

To ensure efficiency, transparency, and accountability in the collection and expenditure of 9-1-1 fees, the Federal Communications Commission shall submit a report within 1 year after the date of enactment of this Act, and annually thereafter, to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce detailing the status in each State of the collection and distribution of 9-1-1 fees and include findings on the amount of revenues obligated or expended by each State or political subdivision thereof for any purpose other than the purpose for which any fee or charges are presented.

#### SEC. 6. MIGRATION TO IP-ENABLED EMERGENCY NETWORK.

(a) *IN GENERAL.*—Section 158 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942) is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

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

"(d) *MIGRATION PLAN REQUIRED.*—

"(1) *NATIONAL PLAN REQUIRED.*—No more than 270 days after the date of the enactment of the IP-Enabled Voice Communications and Public Safety Act of 2007, the Office shall develop and report to Congress on a national plan for migrating to a national IP-enabled emergency network capable of receiving and responding to all citizen activated emergency communications and improving information sharing among all emergency response entities.

"(2) *CONTENTS OF PLAN.*—The plan required by paragraph (1) shall—

"(A) outline the potential benefits of such a migration;