

# ADVANCED, LOCAL EMERGENCY RESPONSE TELECOMMUNICATIONS PARITY ACT

Mr. LATTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1353) to direct the Federal Communications Commission to issue rules for the provision of emergency connectivity service, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1353

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the “Advanced, Local Emergency Response Telecommunications Parity Act” or the “ALERT Parity Act”.

## SEC. 2. EMERGENCY CONNECTIVITY SERVICE.

### (a) RULEMAKING REQUIRED.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Commission shall issue rules for the provision of emergency connectivity service under which—

(A) a person may submit to the Commission an application for approval to provide such service to an area—

(i) that is an unserved area with respect to either or both services described in subsection (i)(5)(B); or

(ii) in the event that such area becomes an unserved area with respect to either or both such services due to destruction of infrastructure, a power outage, or any other reason; and

(B) for any period during which such approval is in effect and such area is an unserved area, such person will receive access to electromagnetic spectrum in accordance with subsection (d) to provide emergency connectivity service to such area.

(2) PROVIDER NOT LICENSEE.—The Commission shall include in the rules issued under paragraph (1) language to ensure that approval of an application to provide emergency connectivity service under such rules does not render the provider of such service a licensee (as such term is defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153)).

(3) DEADLINE TO INITIATE RULEMAKING.—The Commission shall initiate a rulemaking to issue the rules required by paragraph (1) not later than 180 days after the date of the enactment of this Act.

(b) DEMONSTRATIONS.—In the rules issued under subsection (a), the Commission shall require a person who submits an application to provide emergency connectivity service under such rules, in order for such application to be approved, to demonstrate to the Commission the following:

(1) Such person has a technical proposal describing how such person plans to provide such service and how the proposal complies with technical requirements included in such rules under subsection (d)(2).

(2) Such person will not use any electromagnetic spectrum to which access is made available under such rules to provide any service other than emergency connectivity service, unless the other service is provided under a separate authorization to use such spectrum held by such person.

(3) Such service proposed can withstand the impact of major natural disasters, such as earthquakes, hurricanes, wildfires, floods, blizzards, and tornados.

(4) Such person has the capability to begin providing such service in a rapid manner—

(A) in the case of an application to provide such service to an area that is an unserved area at the time at which the application is submitted, after the approval of the application; or

(B) in the case of an application to provide such service to an area in the event that such

area becomes an unserved area due to destruction of infrastructure, a power outage, or any other reason, after such area becomes an unserved area.

(c) PUBLICATION OF LIST OF PROVIDERS.—The Commission shall publish on the internet website of the Commission a list of all providers of emergency connectivity service for which an approval is in effect to provide such service under the rules issued under subsection (a).

(d) ACCESS TO ELECTROMAGNETIC SPECTRUM.—The Commission shall include in the rules issued under subsection (a) the following:

(1) In the case of a provider of emergency connectivity service that is approved to provide such service to an area under such rules and that seeks access to spectrum that another entity is authorized to use, access to such spectrum shall be made available to such provider only if such provider receives voluntary express written consent for such access from such entity. An entity that receives a request for consent under this paragraph shall reasonably engage with the provider submitting the request and make a determination with respect to such request in a timely manner.

(2) With respect to providers of emergency connectivity service that are approved to provide such service to an area under such rules, technical requirements applicable to such providers that ensure that the use of electromagnetic spectrum under a relevant approval does not cause harmful interference to the use of spectrum by another entity authorized to provide a service to such area or an adjacent geographic area.

(e) AREAS UNSERVED WITH RESPECT TO BOTH SERVICES.—In the case of an area that is an unserved area with respect to both services described in subsection (i)(5)(B), the rules issued under subsection (a) shall require that, if a provider approved to provide emergency connectivity service to such area under such rules chooses to provide emergency connectivity service to such area, such provider shall provide both services described in subsection (i)(5)(B) to such area.

### (f) LIMITATION OF LIABILITY.—

(1) TRANSMISSION OF ALERT MESSAGES.—Section 602(e)(1) of the Warning, Alert, and Response Network Act (47 U.S.C. 1201(e)(1)) shall apply to a provider of emergency connectivity service (including its officers, directors, employees, vendors, and agents) with respect to the provision of such service (to the extent such service consists of the provision of the service described in subsection (i)(5)(B)(i) of this section) in accordance with the rules issued under subsection (a) of this section, as if such provider were a provider of commercial mobile service that transmits emergency alerts and meets its obligations under such Act.

### (2) PROVISION OF 9-1-1 SERVICE.—

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

(i) in subsection (a)—

(I) by inserting “emergency connectivity service provider,” after “IP-enabled voice service provider,”; and

(II) by inserting “emergency connectivity service,” after “emergency services,”;

(ii) in subsection (b)—

(I) by striking “IP-enabled voice service or” and inserting “IP-enabled voice service, emergency connectivity service, or”; and

(II) by inserting “emergency connectivity service,” after “IP-enabled voice service,”; and

(iii) in subsection (c), by inserting “emergency connectivity service,” after “IP-enabled voice service,” each place it appears.

(B) DEFINITIONS.—Section 7 of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615b) is amended by adding at the end the following:

“(11) EMERGENCY CONNECTIVITY SERVICE.—The term ‘emergency connectivity service’ has the meaning given such term in paragraph (5) of

section 2(i) of the Advanced, Local Emergency Response Telecommunications Parity Act, to the extent such service consists of the provision of the service described in subparagraph (B)(ii) of such paragraph.

“(12) EMERGENCY CONNECTIVITY SERVICE PROVIDER.—The term ‘emergency connectivity service provider’ means a person who provides emergency connectivity service in accordance with the rules issued under section 2(a) of the Advanced, Local Emergency Response Telecommunications Parity Act.”.

(g) REPORT TO CONGRESS.—Not later than 1 year after the date on which the Commission issues rules under subsection (a), and annually thereafter, the Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report regarding the provision of emergency connectivity service under such rules, which shall include a description of—

(1) each instance during the preceding year that emergency connectivity service was provided under such rules; and

(2) each instance during the preceding year that an entity authorized to use spectrum declined to provide, to a provider of emergency connectivity service, the consent described in subsection (d)(1).

(h) RULES OF CONSTRUCTION.—Nothing in this section may be construed to—

(1) provide the Commission with new authority to regulate the terms, conditions, or rates applicable to an agreement between 2 or more parties to facilitate the provision of emergency connectivity service;

(2) preclude the Commission, before it issues rules under subsection (a), from permitting the use of electromagnetic spectrum by a person that otherwise meets the requirements of this section; or

(3) preclude the Commission from approving an application to provide emergency connectivity service under the rules issued under subsection (a) that proposes using spectrum in a manner that is inconsistent with the Table of Frequency Allocations.

(i) DEFINITIONS.—In this section:

(1) ALERT MESSAGE.—The term “alert message” has the meaning given such term in section 10.10 of title 47, Code of Federal Regulations (or any successor regulation).

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

(3) COMMISSION.—The term “Commission” means the Federal Communications Commission.

(4) COVERED DEVICE.—The term “covered device” means—

(A) a mobile device; or

(B) any other device that is capable of—

(i) receiving alert messages; and

(ii) providing emergency information to a public safety answering point (which may include enhanced 9-1-1 service).

(5) EMERGENCY CONNECTIVITY SERVICE.—

(A) IN GENERAL.—The term “emergency connectivity service” means a service—

(i) to which covered devices are capable of connecting—

(I) without any technical capability specific to such service; and

(II) regardless of whether commercial mobile service or any other service is initialized on the device; and

(ii) that consists only of the provision of a service described in subparagraph (B) to an area that is an unserved area with respect to such service.

(B) SERVICES DESCRIBED.—The services described in this subparagraph are the following:

(i) Transmitting alert messages to covered devices.

(ii) Providing emergency information from a covered device to a public safety answering point (which may include enhanced 9-1-1 service).

(6) *ENHANCED 9-1-1 SERVICE.*—The term “enhanced 9-1-1 service” has the meaning given such term in section 7 of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615b).

(7) *MOBILE DEVICE.*—The term “mobile device” has the meaning given such term in section 10.10 of title 47, Code of Federal Regulations (or any successor regulation).

(8) *PUBLIC SAFETY ANSWERING POINT.*—The term “public safety answering point” has the meaning given such term in section 7 of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615b).

(9) *TABLE OF FREQUENCY ALLOCATIONS.*—The term “table of frequency allocations” means the United States table of frequency allocations contained in section 2.106 of title 47, Code of Federal Regulations (or any successor regulation).

(10) *UNSERVED AREA.*—The term “unserved area” means, with respect to a service described in paragraph (5)(B), an area that, due to lack of infrastructure, destruction of infrastructure, a power outage, or any other reason, has no provider of commercial mobile service that is capable of providing such service.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATTA) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

#### GENERAL LEAVE

Mr. LATTA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LATTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1353, the ALERT Parity Act, led by the gentleman from Ohio's Sixth District and the gentlewoman of Washington's Eighth District.

When hurricanes, tornadoes, and other natural disasters strike, connectivity and access to emergency communications is often one of the many critical services that are temporarily knocked out. Access to 911 services and important updates from local authorities sent by text message may be unavailable in dire moments.

While network operators do great work in preparing for, responding to, and improving future preparations for these natural disasters, they are unavoidable. Even the best response may leave Americans trapped without access to emergency services in the aftermath of the event.

However, recent innovations in satellite communications technologies have opened new opportunities to leverage our communications systems to provide emergency communications in times of natural disaster from satellites. Many of these services are designed to be available on Americans' phones seamlessly with no action needed by Americans.

Recent innovative partnership between terrestrial network operators

and satellite operators have highlighted the type of possibilities Americans may someday take for granted. Yet, these innovations and partnerships have also demonstrated that novel use of our airwaves, while potentially lifesaving, also need regulatory certainty so that they are reliably available and do not result in harmful interference.

The ALERT Parity Act would establish a process for the FCC to ensure that satellite technology can be used to ensure access to wireless emergency alerts and 911 service remain uninterrupted during times of an emergency in areas that do not have connectivity.

This legislation will be key to ensuring that emergency connectivity services are not authorized using temporary authorities and adequately protect all of the wireless services Americans rely on.

This legislation will also pave the way for U.S. leadership as other countries look to take advantage of the innovation pioneered here in the United States.

Mr. Speaker, I urge my colleagues to support H.R. 1353, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 1353, the Advanced, Local Emergency Response Telecommunications Parity Act, or the ALERT Parity Act. This bipartisan bill will enhance wireless connectivity in remote and hard-to-reach places to ensure that people can always reach out to emergency services and family during emergencies.

H.R. 1353 will help the Federal Communications Commission utilize satellite technology to deliver emergency connectivity service to remote areas or areas experiencing service outages caused by natural disasters. This is particularly important for rural and Tribal areas that have been particularly devastated by the lack of access to 911 and emergency alerts due to limited wireless coverage.

This bill is needed now because over the last few months many 5G mobile providers and equipment manufacturers have announced partnerships with satellite operators to deliver emergency communication to consumers where wireless coverage is lacking or nonexistent. These efforts are likely to offer tangible benefits to consumers as the partnerships will enable wireless service providers to offer consumers universal coverage and enhance access to emergency services. It is likely that consumer demand for satellite services will grow in the future as wireless carriers and phone manufacturers continue to build this capability into their networks and phones.

This additional layer of protection is also a welcome sign given that the worsening climate crisis is causing more frequent and extreme weather events. Mobile service is essential for receiving emergency alerts with life-

saving information. Resilient communications networks can be the difference between life and death when the unexpected strikes. Satellite systems will be crucial in helping ensure that consumers have the necessary details to navigate through these emergency situations.

To help advance these efforts, H.R. 1353 directs the FCC to issue rules so that satellite providers can offer emergency connectivity services in areas that currently do not have access to such services or areas that have been impacted by a disaster.

The legislation also requires the FCC to annually report to Congress on the instances where satellite providers utilized the rules to provide emergency services and where such providers were denied the opportunity to offer these lifesaving services.

Mr. Speaker, I thank Representatives SCHRIER and JOHNSON for their bipartisan work on this bill. With this legislation, consumers can rest assured that if they find themselves in an area without service, whether it is because of lack of coverage, the result of natural disaster, or for some other reason, they will continue to have the ability to reach first responders and loved ones during an emergency.

Mr. Speaker, I urge my colleagues to support this legislation that unanimously advanced out of the Energy and Commerce Committee last month, and I reserve the balance of my time.

Mr. LATTA. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Mr. Speaker, I thank my colleague, Mr. LATTA, for recognizing me.

Mr. Speaker, I rise in support of my legislation, H.R. 1353, the ALERT Parity Act.

This bipartisan legislation would require the Federal Communications Commission to issue rules within 18 months of enactment to establish an application process for any entities seeking to provide wireless emergency alerts for 911 services in unserved areas across America. It also requires the FCC to establish service rules whereby providers of emergency connectivity service may access spectrum held by a licensee, so long as it does not cause interference and they have express written consent from the licensee.

Additionally, the bill requires the FCC to provide an annual report to Congress detailing instances where emergency connectivity service was provided by this process, and also each instance when an entity authorized to use spectrum declined to provide the consent needed by providers of emergency connectivity service to use their spectrum.

This enables Congress to provide oversight of these services and ensure that this legislation is implemented as intended.

First and foremost, enabling 911 calls and texts and emergency alerts in remote and unserved areas is not only

common sense, it is a lifesaving measure.

Every American deserves access to emergency assistance, regardless of where they live, period.

This bill is very narrow in scope. The rules required by the bill would only enable emergency connectivity service providers to connect to individuals' phones where there is no cellular service, either due to an outage or because there is not a mobile carrier providing service in that area.

To many of us, it is frustrating if we lose cell service temporarily. It is unfathomable for many to understand that in 2023 there remains remote areas in America that still lack reliable cellular service.

Now that there is technology that will enable distressed Ohioans in rural Appalachia, and all such rural areas across the United States who lack mobile cell service to reach emergency assistance, I believe we have a responsibility to make it happen and to ensure American innovation can serve our communities that are otherwise left out.

Mr. Speaker, I thank Representative KIM SCHRIER for co-leading this legislation and her work on this bill.

Mr. Speaker, I also urge my colleagues to support H.R. 1353 to ensure everyone has access to critical lifesaving emergency services regardless of where they live or travel.

Mr. Speaker, I also thank Mr. PALLONE, the ranking member of the Energy and Commerce Committee for his support as well.

Mr. PALLONE. Mr. Speaker, this is a bipartisan bill that was reported out of our committee unanimously last month, and I would ask everyone to support the legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. LATTA. Mr. Speaker, I also urge support of H.R. 1353, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATTA) that the House suspend the rules and pass the bill, H.R. 1353, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LATTA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

## INSTITUTE FOR TELECOMMUNICATION SCIENCES CODIFICATION ACT

Mr. LATTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1343) to codify the Institute for Telecommunication Sciences and to direct the Assistant Secretary of Commerce for Communications and Infor-

mation to establish an initiative to support the development of emergency communication and tracking technologies, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1343

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Institute for Telecommunication Sciences Codification Act" or the "ITS Codification Act".

### SEC. 2. INSTITUTE FOR TELECOMMUNICATION SCIENCES.

(a) FINDINGS.—Congress finds the following:

(1) The test center within the National Telecommunications and Information Administration (in this subsection referred to as the "NTIA") represents executive branch agencies on spectrum issues before the Federal Communications Commission.

(2) Understanding radio frequency propagation characteristics and modeling is a critical component of making spectrum decisions.

(3) Federal agencies rely on expert engineering studies, simulations, and analyses to make determinations about how to make spectrum available for commercial use, including through system relocations and identifying spectrum sharing opportunities through the NTIA.

(4) Clearing of Federal spectrum, when feasible, is the priority action to take to make Federal spectrum available for commercial uses as required by section 113(j)(1) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(j)(1)).

(5) Sharing of Federal spectrum between Federal entities and commercial entities provides access to Federal spectrum for commercial uses in circumstances where clearing is not feasible.

(6) The test center within the NTIA is the Government's premier expert laboratory for spectrum research activities, spectrum sharing innovation and testing, spectrum interference studies, and all activities related to advancing next generation wireless technologies.

(7) The test center within the NTIA is critical for undertaking engineering studies and analyses that inform clearing or sharing opportunities and facilitate policy decisions to maximize the efficient use of spectrum resources.

(b) OPERATION OF TEST CENTER.—Part A of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 901 et seq.) is amended by adding at the end the following:

### "SEC. 106. INSTITUTE FOR TELECOMMUNICATION SCIENCES.

"(a) ESTABLISHMENT.—

"(1) IN GENERAL.—Under the authority provided to the Assistant Secretary under section 103, the Assistant Secretary shall operate a test center to be known as the Institute for Telecommunication Sciences (in this section referred to as 'ITS').

"(2) FUNCTIONS.—

"(A) IN GENERAL.—In addition to any functions delegated by the Assistant Secretary under subparagraph (B), ITS shall serve as the primary laboratory for the executive branch of the Federal Government to—

"(i) study radio frequency emissions, including technologies and techniques to control such emissions and interference caused by such emissions;

"(ii) determine spectrum propagation characteristics;

"(iii) conduct tests on technology that enhances the sharing of electromagnetic spectrum between Federal and non-Federal users;

"(iv) improve the interference tolerance of Federal systems operating with, or using, Federal spectrum;

"(v) promote activities relating to access to Federal spectrum by non-Federal users and the sharing of Federal spectrum between Federal and non-Federal users; and

"(vi) conduct such other activities as determined necessary by the Assistant Secretary.

"(B) ADDITIONAL FUNCTIONS.—The Assistant Secretary may delegate to ITS any of the functions assigned to the Assistant Secretary under section 103(b)(1).

"(3) AGREEMENTS AND TRANSACTIONS.—In carrying out the functions described in paragraph (2), the Assistant Secretary, acting through the head of ITS, may enter into agreements as provided under the following authorities:

"(A) Sections 11 and 12 of the Stevenson-Wydler Technology Innovation Act of 1980.

"(B) Section 1535 of title 31, United States Code.

"(C) Sections 207 and 209 of title 35, United States Code.

"(D) Section 103(b)(2) of this Act.

"(E) Section 113(g) of this Act.

"(F) The first undesignated section of Public Law 91–412.

"(G) As authorized in any other Federal statute.

"(4) FEDERAL SPECTRUM DEFINED.—In this subsection, the term 'Federal spectrum' means frequencies assigned on a primary basis to a Federal entity (as defined in section 113(1)).

"(b) EMERGENCY COMMUNICATION AND TRACKING TECHNOLOGIES INITIATIVE.—

"(1) ESTABLISHMENT.—The Assistant Secretary, acting through the head of ITS, shall establish an initiative to support the development of emergency communication and tracking technologies for use in locating trapped individuals in confined spaces, such as underground mines, and other shielded environments, such as high-rise buildings or collapsed structures, where conventional radio communication is limited.

"(2) ACTIVITIES.—In order to carry out this subsection, the Assistant Secretary, acting through the head of ITS, shall work with private sector entities and the heads of appropriate Federal agencies, to—

"(A) perform a needs assessment to identify and evaluate the measurement, technical specifications, and conformity assessment needs required to improve the operation and reliability of such emergency communication and tracking technologies; and

"(B) support the development of technical specifications and conformance architecture to improve the operation and reliability of such emergency communication and tracking technologies.

"(3) REPORT.—Not later than 18 months after the date of the enactment of this section, the Assistant Secretary shall submit to Congress, and make publicly available, a report on the assessment performed under paragraph (2)(A)."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATTA) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. LATTA. Mr. Speaker, I ask unanimous consent that all Members may