

H.R. 4954

Port Security Improvement Act of 2006
(Amendment as Agreed to by Senate)

**Title X – IP-Enabled Voice Communications
and Public Safety**

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18 **TITLE X—IP-ENABLED VOICE**
19 **COMMUNICATIONS AND PUB-**
20 **LIC SAFETY**

21 **SEC. 1001. SHORT TITLE.**

22 *This title may be cited as the “IP-Enabled Voice Com-*
23 *munications and Public Safety Act of 2006”.*

24 **SEC. 1002. EMERGENCY SERVICE.**

25 *(a) ACCESS TO 911 COMPONENTS.—Within 90 days*
26 *after the date of enactment of this Act, the Commission shall*

1 *issue regulations regarding access by IP-enabled voice serv-*
2 *ice providers to 911 components that permit any IP-enabled*
3 *voice service provider to elect to be treated as a commercial*
4 *mobile service provider for the purpose of access to any 911*
5 *component, except that the regulations issued under this*
6 *subsection may take into account any technical or network*
7 *security issues that are specific to IP-enabled voice services.*

8 **(b) STATE AUTHORITY OVER FEES.**—*Nothing in this*
9 *title, the Communications Act of 1934, or any Commission*
10 *regulation or order shall prevent the imposition on, or col-*
11 *lection from, a provider of IP-enabled voice services of any*
12 *fee or charge specifically designated by a State, political*
13 *subdivision thereof, or Indian tribe for the support of 911*
14 *or E-911 services if that fee or charge—*

15 *(1) does not exceed the amount of any such fee*
16 *or charge imposed on or collected from a provider of*
17 *telecommunications services; and*

18 *(2) is obligated or expended in support of 911*
19 *and E-911 services, or enhancements of such services,*
20 *or other emergency communications services as speci-*
21 *fied in the provision of State or local law adopting*
22 *the fee or charge.*

23 **(c) PARITY OF PROTECTION FOR PROVISION OR USE**
24 **OF IP-ENABLED VOICE SERVICE.**—*A provider or user of*
25 *IP-enabled voice services, a PSAP, and the officers, direc-*

1 *tors, employees, vendors, agents, and authorizing govern-*
 2 *ment entity (if any) of such provider, user, or PSAP, shall*
 3 *have the same scope and extent of immunity and other pro-*
 4 *tection from liability under Federal and State law with re-*
 5 *spect to—*

6 (1) *the release of subscriber information related*
 7 *to emergency calls or emergency services,*

8 (2) *the use or provision of 911 and E-911 serv-*
 9 *ices, and*

10 (3) *other matters related to 911 and E-911 serv-*
 11 *ices,*

12 *as section 4 of the Wireless Communications and Public*
 13 *Safety Act of 1999 (47 U.S.C. 615a) provides to wireless*
 14 *carriers, PSAPs, and users of wireless 9-1-1 service (as de-*
 15 *finied in paragraphs (4), (3), and (6), respectively, of section*
 16 *6 of that Act (47 U.S.C. 615b)) with respect to such release,*
 17 *use, and other matters.*

18 (d) *LIMITATION ON COMMISSION.—Nothing in this sec-*
 19 *tion shall be construed to permit the Commission to issue*
 20 *regulations that require or impose a specific technology or*
 21 *technological standard.*

22 **SEC. 1003. ENFORCEMENT.**

23 *The Commission shall enforce this title, and any regu-*
 24 *lation promulgated under this title, under the Communica-*
 25 *tions Act of 1934 (47 U.S.C. 151 et seq.) as if this title*

1 *were a part of that Act. For purposes of this section any*
2 *violation of this title, or any regulation promulgated under*
3 *this title, is deemed to be a violation of the Communications*
4 *Act of 1934.*

5 **SEC. 1004. MIGRATION TO IP-ENABLED EMERGENCY NET-**
6 **WORK.**

7 *(a) IN GENERAL.—Section 158 of the National Tele-*
8 *communications and Information Administration Organi-*
9 *zation Act (47 U.S.C. 942) is amended—*

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

12 *(2) by inserting after subsection (c) the fol-*
13 *lowing:*

14 *“(d) MIGRATION PLAN REQUIRED.—*

15 *“(1) NATIONAL PLAN REQUIRED.—No more than*
16 *18 months after the date of the enactment of the IP-*
17 *Enabled Voice Communications and Public Safety*
18 *Act of 2005, the Office shall develop and report to*
19 *Congress on a national plan for migrating to a na-*
20 *tional IP-enabled emergency network capable of re-*
21 *ceiving and responding to all citizen activated emer-*
22 *gency communications.*

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

1 “(A) *outline the potential benefits of such a*
2 *migration;*

3 “(B) *identify barriers that must be over-*
4 *come and funding mechanisms to address those*
5 *barriers;*

6 “(C) *include a proposed timetable, an out-*
7 *line of costs and potential savings;*

8 “(D) *provide specific legislative language, if*
9 *necessary, for achieving the plan;*

10 “(E) *provide recommendations on any legis-*
11 *lative changes, including updating definitions, to*
12 *facilitate a national IP-enabled emergency net-*
13 *work; and*

14 “(F) *assess, collect, and analyze the experi-*
15 *ences of the PSAPs and related public safety au-*
16 *thorities who are conducting trial deployments of*
17 *IP-enabled emergency networks as of the date of*
18 *enactment of the IP-Enabled Voice Communica-*
19 *tions and Public Safety Act of 2005.*

20 “(3) *CONSULTATION.—In developing the plan re-*
21 *quired by paragraph (1), the Office shall consult with*
22 *representatives of the public safety community, tech-*
23 *nology and telecommunications providers, and others*
24 *it deems appropriate.”; and*

1 (3) by striking “services.” in subsection (b)(1)
 2 and inserting “services, and, upon completion of de-
 3 velopment of the national plan for migrating to a na-
 4 tional IP-enabled emergency network under subsection
 5 (d), for migration to an IP-enabled emergency net-
 6 work.”.

7 (b) *REPORT ON PSAPs.*—

8 (1) *IN GENERAL.*—Not later than 180 days after
 9 the date of enactment of this Act, the Commission
 10 shall—

11 (A) compile a list of all known public safety
 12 answering points, including such contact infor-
 13 mation regarding public safety answering points
 14 as the Commission determines appropriate;

15 (B) organize such list by county, town,
 16 township, parish, village, hamlet, or other gen-
 17 eral purpose political subdivision of a State; and

18 (C) make available from such list—

19 (i) to the public, on the Internet
 20 website of the Commission—

21 (I) the 10 digit telephone number
 22 of those public safety answering points
 23 appearing on such list; and

24 (II) a statement explicitly warn-
 25 ing the public that such telephone

1 *numbers are not intended for emer-*
2 *gency purposes and as such may not be*
3 *answered at all times; and*

4 *(ii) to public safety answering points*
5 *all contact information compiled by the*
6 *Commission.*

7 *(2) CONTINUING DUTY.—The Commission shall*
8 *continue—*

9 *(A) to update the list made available to the*
10 *public described in paragraph (1)(C); and*

11 *(B) to improve for the benefit of the public*
12 *the accessibility, use, and organization of such*
13 *list.*

14 *(3) PSAPS REQUIRED TO COMPLY.—Each public*
15 *safety answering point shall provide all requested*
16 *contact information to the Commission as requested.*

17 *(c) REPORT ON SELECTIVE ROUTERS.—*

18 *(1) IN GENERAL.—Not later than 180 days after*
19 *the date of enactment of this Act, the Commission*
20 *shall—*

21 *(A) compile a list of selective routers, in-*
22 *cluding the contact information of the owners of*
23 *such routers;*

1 (B) organize such list by county, town,
2 township, parish, village, hamlet, or other gen-
3 eral purpose political subdivision of a State; and

4 (C) make such list available to providers of
5 telecommunications service and to providers of
6 IP-enabled voice service who are seeking to pro-
7 vide E-911 service to their subscribers.

8 **SEC. 1005. DEFINITIONS.**

9 (a) *IN GENERAL.*—For purposes of this title:

10 (1) *911.*—The term “911” means a service that
11 allows a user, by dialing the three-digit code 911, to
12 call a public safety answering point operated by a
13 State, local government, Indian tribe, or authorized
14 entity.

15 (2) *911 COMPONENT.*—The term “911 compo-
16 nent” means any equipment, network, databases (in-
17 cluding automatic location information databases
18 and master street address guides), interface, selective
19 router, trunkline, or other related facility necessary
20 for the delivery and completion of 911 or E-911 calls
21 and information related to such calls to which the
22 Commission requires access pursuant to its rules and
23 regulations.

24 (3) *E-911 SERVICE.*—The term “E-911 service”
25 means a 911 service that automatically delivers the

1 911 call to the appropriate public safety answering
2 point, and provides automatic identification data, in-
3 cluding the originating number of an emergency call,
4 the physical location of the caller, and the capability
5 for the public safety answering point to call the user
6 back if the call is disconnected.

7 (4) *IP-ENABLED VOICE SERVICE*.—The term “IP-
8 enabled voice service” means the provision of real-
9 time 2-way voice communications offered to the pub-
10 lic, or such classes of users as to be effectively avail-
11 able to the public, transmitted through customer
12 premises equipment using TCP/IP protocol, or a suc-
13 cessor protocol, for a fee (whether part of a bundle of
14 services or separately, or without a fee) with 2-way
15 interconnection capability such that the service can
16 originate traffic to, and terminate traffic from, the
17 public switched telephone network.

18 (5) *PSAP*.—The term “public safety answering
19 point” or “PSAP” means a facility that has been des-
20 ignated to receive 911 or E-911 calls.

21 (b) *COMMON TERMINOLOGY*.—Except as otherwise pro-
22 vided in subsection (a), terms used in this title have the
23 meanings provided under section 3 of the Communications
24 Act of 1934.