SEC. 1002. AUTHORITY TO RETAIN CERTAIN FEES PROVIDED BY A STATE TO FUND EMERGENCY TELECOMMUNICATIONS SERVICES ON MILITARY INSTALLATIONS.

Section 6(f) of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615a-1(f)) is amended by adding at the end the following new paragraph:

"(3) FEES PROVIDED TO MILITARY INSTALLATIONS.—If the Secretary of a military department receives from a State, pursuant to an application by the Secretary or otherwise, an amount remitted to the Secretary as a share of the fees and charges collected by the State under this subsection from persons residing on a military installation under the Secretary's jurisdiction within the State, such amount shall be credited to appropriations available for that military department to support or implement 9-1-1 or enhanced 9-1-1 services for that military installation and shall be available for such purposes subject to the same availability, conditions, and limitations as the appropriation to which credited.".

Section-by-Section Analysis

This proposal would allow the Secretaries of the military departments to retain and expend funds received from a State as a share of the fees and charges collected by the State to support or enhance 9-1-1 emergency services. The States are authorized to collect the fees and charges via charges on telephone bills under section 6(f) of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615a-1(f)).

Although the military departments could currently seek a portion of the fees and charges collected by the States under 47 U.S.C. 615a-1, without a statutory exception to the miscellaneous receipts statute (31 U.S.C. 3302), any fees and charges collected would go to the Treasury and could not be used to offset expenses incurred by military installations to support or enhance 9-1-1 emergency services, many of which benefit local civilian communities.

This proposal would allow the military departments to retain any amounts the States may (at their discretion) provide from the fees and charges they collect under 47 U.S.C. 615a-1, and to use the funds in support of 9-1-1 emergency services without further appropriation.

Budget Implications: Enhanced capability. Military installations would receive State funding and apply towards the operating cost. Military installations have capability gaps when compared to off-post civilian counterparts. A statutory exception to the Miscellaneous Receipts Statute, 31 U.S.C. 3302, would allow installations to receive the 9-1-1 State Grant to close these gaps. The Department of Treasury will need to create a special fund receipt account for receipts 9-1-1 State grants and make the funds immediately available for expenditures to support enhanced 9-1-1 services for the military installation on whose behalf the application of the State grant was made.

RESOURCE REQUIREMENTS ($MILLIONS)									
	FY 2015	**FY 2016**	**FY 2017**	**FY 2018**	**FY 2019**	**Appropriation To**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
Army	1.8	1.8	1.8	1.8	1.8	97X			
Air Force	.9	.9	.9	.9	.9				
Navy	0	0	0	0	0				
Total	2.7	2.7	2.7	2.7	2.7				

*The Navy does not expect to utilize this authority.

PERSONNEL AFFECTED									
	FY 2015	**FY 2016**	**FY 2017**	**FY 2018**	**FY 2019**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
Army	0	0	0	0	0				
Air Force	0	0	0	0	0				
Navy	0	0	0	0	0				
Total	0	0	0	0	0				

Changes to Existing Law: This proposal would make the following changes to section 6 of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615a-1):

SEC. 6. DUTY TO PROVIDE 9-1-1 AND ENHANCED 9-1-1 SERVICE.

(a) DUTIES.—It shall be the duty of each IP-enabled voice service provider to provide 9-1-1 service and enhanced 9-1-1 service to its subscribers in accordance with the requirements of the Federal Communications Commission, as in effect on the date of enactment of the New and Emerging Technologies 911 Improvement Act of 2008 [July 23, 2008] and as such requirements may be modified by the Commission from time to time.

(b) PARITY FOR IP-ENABLED VOICE SERVICE PROVIDERS.—An IP-enabled voice service provider that seeks capabilities to provide 9-1-1 and enhanced 9-1-1 service from an entity with ownership or control over such capabilities, to comply with its obligations under subsection (a), shall, for the exclusive purpose of complying with such obligations, have a right of access to such capabilities, including interconnection, to provide 9-1-1 and enhanced 9-1-1 service on the

same rates, terms, and conditions that are provided to a provider of commercial mobile service (as such term is defined in section 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d))), subject to such regulations as the Commission prescribes under subsection (c).

(c) REGULATIONS.—The Commission—

(1) within 90 days after the date of enactment of the New and Emerging Technologies 911 Improvement Act of 2008 [July 23, 2008], shall issue regulations implementing such act, including regulations that—

(A) ensure that IP-enabled voice service providers have the ability to exercise their rights under subsection (b);

(B) take into account any technical, network security, or information privacy requirements that are specific to IP-enabled voice services; and

(C) provide, with respect to any capabilities that are not required to be made available to a commercial mobile service provider but that the Commission determines under subparagraph (B) of this paragraph or paragraph (3) are necessary for an IP-enabled voice service provider to comply with its obligations under subsection (a), that such capabilities shall be available at the same rates, terms, and conditions as would apply if such capabilities were made available to a commercial mobile service provider;

(2) 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 and enhanced 9-1-1 service and access; and

(3) may modify such regulations from time to time, as necessitated by changes in the market or technology, to ensure the ability of an IP-enabled voice service provider to comply with its obligations under subsection (a) and to exercise its rights under subsection (b).

(d) DELEGATION OF ENFORCEMENT TO STATE COMMISSIONS.—The Commission may delegate authority to enforce the regulations issued under subsection (c) to State commissions or other State or local agencies or programs with jurisdiction over emergency communications. Nothing in this section is intended to alter the authority of State commissions or other State or local agencies with jurisdiction over emergency communications, provided that the exercise of such authority is not inconsistent with Federal law or Commission requirements.

(e) IMPLEMENTATION.—

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

(2) ENFORCEMENT.—The Commission shall enforce this section as if this section was a part of the Communications Act of 1934. For purposes of this section, any violations of this section, or any regulations promulgated under this section, shall be considered to be a violation of the Communications Act of 1934 or a regulation promulgated under that Act, respectively.

(f) STATE AUTHORITY OVER FEES.—

(1) AUTHORITY.—Nothing in this Act, the Communications Act of 1934 (47 U.S.C. 151 et seq.), the New and Emerging Technologies 911 Improvement Act of 2008, or any Commission regulation or order shall prevent the imposition and collection of a fee or

charge applicable to commercial mobile services or IP-enabled voice services specifically designated by a State, political subdivision thereof, Indian tribe, or village or regional corporation serving a region established pursuant to the Alaska Native Claims Settlement Act, as amended (85 Stat. 688) for the support or implementation of 9-1-1 or enhanced 9-1-1 services, provided that the fee or charge is obligated or expended only in support of 9-1-1 and enhanced 9-1-1 services, or enhancements of such services, as specified in the provision of State or local law adopting the fee or charge. For each class of subscribers to IP-enabled voice services, the fee or charge may not exceed the amount of any such fee or charge applicable to the same class of subscribers to telecommunications services.

(2) FEE ACCOUNTABILITY REPORT.—To ensure efficiency, transparency, and accountability in the collection and expenditure of a fee or charge for the support or implementation of 9-1-1 or enhanced 9-1-1 services, the Commission shall submit a report within 1 year after the date of enactment of the New and Emerging Technologies 911 Improvement Act of 2008 [July 23, 2008], and annually thereafter, to the Committee on Commerce, Science and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives detailing the status in each State of the collection and distribution of such fees or charges, and including 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 such fees or charges are specified.

(3) FEES PROVIDED TO MILITARY INSTALLATIONS.—If the Secretary of a military department receives from a State, pursuant to an application by the Secretary or otherwise, an amount remitted to the Secretary as a share of the fees and charges collected by the State under this subsection from persons residing on a military installation under the Secretary's jurisdiction within the State, such amount shall be credited to appropriations available for that military department to support or implement 9-1-1 or enhanced 9-1-1 services for that military installation and shall be available for such purposes subject to the same availability, conditions, and limitations as the appropriation to which credited.

(g) AVAILABILITY OF PSAP INFORMATION.—The Commission may compile a list of public safety answering point contact information, contact information for providers of selective routers, testing procedures, classes and types of services supported by public safety answering points, and other information concerning 9-1-1 and enhanced 9-1-1 elements, for the purpose of assisting IP-enabled voice service providers in complying with this section, and may make any portion of such information available to telecommunications carriers, wireless carriers, IP-enabled voice service providers, other emergency service providers, or the vendors to or agents of any such carriers or providers, if such availability would improve public safety.

(h) DEVELOPMENT OF STANDARDS.—The Commission shall work cooperatively with public safety organizations, industry participants, and the E-911 Implementation Coordination Office to develop best practices that promote consistency, where appropriate, including procedures for—

(1) defining geographic coverage areas for public safety answering points;

(2) defining network diversity requirements for delivery of IP-enabled 9-1-1 and enhanced 9-1-1 calls;

(3) call-handling in the event of call overflow or network outages;

(4) public safety answering point certification and testing requirements;

(5) validation procedures for inputting and updating location information in relevant databases; and

(6) the format for delivering address information to public safety answering points.

(i) RULE OF CONSTRUCTION.—Nothing in the New and Emerging Technologies 911 Improvement Act of 2008 shall be construed as altering, delaying, or otherwise limiting the ability of the Commission to enforce the Federal actions taken or rules adopted obligating an IP-enabled voice service provider to provide 9-1-1 or enhanced 9-1-1 service as of the date of enactment of the New and Emerging Technologies 911 Improvement Act of 2008 [July 23, 2008].