

[DISCUSSION DRAFT]

119TH CONGRESS
2ND SESSION

H. R. _____

To amend the Middle Class Tax Relief and Job Creation Act of 2012 to reauthorize the First Responder Network Authority, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. DUNN of Florida introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Middle Class Tax Relief and Job Creation Act of 2012 to reauthorize the First Responder Network Authority, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

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

7 (b) TABLE OF CONTENTS.—The table of contents for
8 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.

1 **SEC. 2. REAUTHORIZATION OF FIRST RESPONDER NET-**
2 **WORK AUTHORITY.**

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

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

8 (2) in subsection (g)—

9 (A) by striking “Not later than 10 years
10 after the date of the enactment of this Act”
11 and inserting “Not later than 7 years after the
12 date of the enactment of the First Responder
13 Network Authority Reauthorization Act of
14 2026”; and

15 (B) by striking “15-year sunset” and in-
16 serting “termination”.

1 **SEC. 3. AUTHORITY OF NTIA OVER FIRST RESPONDER NET-**
2 **WORK AUTHORITY.**

3 (a) IN GENERAL.—Subtitle B of title VI of the Mid-
4 dle Class Tax Relief and Job Creation Act of 2012 (47
5 U.S.C. 1421 et seq.) is amended—

6 (1) in section 6204(a), by striking “as an inde-
7 pendent authority”; and

8 (2) in section 6206—

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

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

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

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

18 “(2) MANNER OF APPROVAL.—

19 “(A) IN GENERAL.—Not later than 180
20 days after the date of the enactment of this
21 subsection, the NTIA shall, after providing an
22 opportunity for public comment, develop a list
23 of actions that do not require prior approval by
24 the NTIA before the First Responder Network
25 Authority may take such an action. The First
26 Responder Network Authority may not take an

1 action that, at the time when such action is
2 taken, is not on such list, unless the NTIA has
3 provided prior approval for such action.

4 “(B) RULE OF CONSTRUCTION.—Nothing
5 in subparagraph (A) may be construed to alter
6 the requirement of subsection (c) of section
7 6208 that fees may only be assessed under such
8 section if approved by the NTIA.”; and

9 (C) in subsection (h) (as so redesignated),
10 by striking “subsection (f)” and inserting “sub-
11 section (g)”.

12 (b) CONFORMING AMENDMENT.—Section 6205(b)(2)
13 of the Middle Class Tax Relief and Job Creation Act of
14 2012 (47 U.S.C. 1425(b)(2)) is amended by striking “If”
15 and inserting “Subject to section 6206(d), if”.

16 (c) APPLICABILITY.—The amendments made by this
17 section shall apply with respect to actions taken by the
18 First Responder Network Authority on or after the date
19 on which the list required by subsection (d)(2) of section
20 6206 of the Middle Class Tax Relief and Job Creation
21 Act of 2012 (47 U.S.C. 1426), as amended by this Act,
22 is developed.

1 **SEC. 4. BOARD OF FIRST RESPONDER NETWORK AUTHOR-**
2 **ITY.**

3 (a) PUBLIC SAFETY PROFESSIONALS.—Section
4 6204(b)(2)(A) of the Middle Class Tax Relief and Job
5 Creation Act of 2012 (47 U.S.C. 1424(b)(2)(A)) is
6 amended by amending clause (iv) to read as follows:

7 “(iv) ensure that, on and after the
8 date that is 3 years after the date of the
9 enactment of the First Responder Network
10 Authority Reauthorization Act of 2026, the
11 Board includes not fewer than 5 individ-
12 uals who have served as public safety pro-
13 fessionals.”.

14 (b) STAGGERED TERMS.—

15 (1) IN GENERAL.—Section 6204(c)(2) of the
16 Middle Class Tax Relief and Job Creation Act of
17 2012 (47 U.S.C. 1424(c)(2)) is amended—

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

21 (B) by striking subparagraph (D).

22 (2) APPLICABILITY.—The amendments made
23 by this subsection shall apply with respect to ap-
24 pointments made on or after the date of the enact-
25 ment of this Act.

1 **SEC. 5. ASSOCIATE ADMINISTRATOR.**

2 (a) IN GENERAL.—Section 6204 of the Middle Class
3 Tax Relief and Job Creation Act of 2012 (47 U.S.C.
4 1424) is amended by adding at the end the following:

5 “(h) ASSOCIATE ADMINISTRATOR.—

6 “(1) IN GENERAL.—The First Responder Net-
7 work Authority shall have an Associate Adminis-
8 trator, which shall be a position in the Senior Execu-
9 tive Service and who shall be appointed by the As-
10 sistant Secretary.

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

13 “(A) Subject to the direction of the Board
14 and approval by the NTIA under section
15 6206(d), manage the staff and operations of the
16 First Responder Network Authority in order to
17 ensure that the duties and responsibilities of
18 the First Responder Network Authority are car-
19 ried out.

20 “(B) Serve as a liaison between the First
21 Responder Network Authority and the NTIA,
22 including with respect to ensuring compliance
23 by the First Responder Network Authority with
24 section 6206(d).

25 “(3) ANNUAL PERFORMANCE REVIEWS.—The
26 NTIA, in consultation with the Chair of the Board

1 and any committee of the Board relating to govern-
2 ance and risk, shall conduct an annual performance
3 review of the Associate Administrator.”.

4 (b) CONTINUATION IN OFFICE.—The individual serv-
5 ing as the Executive Director and Chief Executive Officer
6 of the First Responder Network Authority on the day be-
7 fore the date of the enactment of this Act may serve as
8 the Associate Administrator under subsection (h) of sec-
9 tion 6204 of the Middle Class Tax Relief and Job Creation
10 Act of 2012 (47 U.S.C. 1424), as added by subsection
11 (a), on and after such date of enactment without the need
12 for appointment under such subsection (h).

13 **SEC. 6. COMPONENTS OF NATIONWIDE PUBLIC SAFETY**
14 **BROADBAND NETWORK.**

15 Section 6202(b) of the Middle Class Tax Relief and
16 Job Creation Act of 2012 (47 U.S.C. 1422(b)) is amend-
17 ed, in the matter preceding paragraph (1), by striking
18 “and initially consists of” and inserting “and consists of
19 such technologies, spectrum bands, and services as nec-
20 essary to enable secure, interoperable, resilient, and
21 prioritized broadband communications for public safety
22 entities, including”.”.

1 **SEC. 7. FLEXIBILITY IN ESTABLISHING FEE AMOUNTS.**

2 Section 6208(b) of the Middle Class Tax Relief and
3 Job Creation Act of 2012 (47 U.S.C. 1428(b)) is amend-
4 ed—

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

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

10 **SEC. 8. REPORTS TO CONGRESS ON FIRST RESPONDER**
11 **NETWORK AUTHORITY.**

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

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

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

21 (3) by adding at the end the following:

22 “(D) an evaluation of the performance of
23 the FirstNet contractor under the contract in
24 building, operating, and maintaining the nation-
25 wide public safety broadband network.”.

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

6 **“SEC. 6214. ANNUAL REPORTS ON FIRST RESPONDER NET-**
7 **WORK AUTHORITY.**

8 “(a) REPORT ON CYBERSECURITY MATTERS.—The
9 NTIA shall submit to Congress an annual report that in-
10 cludes information on cyberattacks, outages, and cyber de-
11 fense efforts with respect to the nationwide public safety
12 broadband network. Each such annual report shall be sub-
13 mitted in unclassified form, but may contain a classified
14 annex.

15 “(b) REPORT ON ADOPTION RATES.—The NTIA
16 shall submit to Congress an annual report on adoption
17 rates, by profession and geographic area, with respect to
18 the nationwide public safety broadband network.”.

19 (c) ANNUAL BRIEFING.—Subtitle B of title VI of the
20 Middle Class Tax Relief and Job Creation Act of 2012
21 (47 U.S.C. 1421 et seq.), as amended by the preceding
22 provisions of this Act, is further amended by adding at
23 the end the following:

1 **“SEC. 6215. ANNUAL BRIEFINGS ON FIRST RESPONDER**
2 **NETWORK AUTHORITY.**

3 “Not later than 1 year after the date of the enact-
4 ment of this section, and annually thereafter, the NTIA
5 shall provide to the Committee on Energy and Commerce
6 of the House of Representatives and the Committee on
7 Commerce, Science, and Transportation of the Senate a
8 briefing on activities with respect to the First Responder
9 Network Authority.”.

10 **SEC. 9. BUSINESS CONTINUITY AND DISASTER RECOVERY**
11 **PLAN.**

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

16 **“SEC. 6216. BUSINESS CONTINUITY AND DISASTER RECOV-**
17 **ERY PLAN.**

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

25 “(b) TIMING OF APPROVAL OR REQUEST FOR RE-
26 SUBMISSION.—Not later than 180 days after the date on

1 which the NTIA receives a plan submitted under this sec-
2 tion, the NTIA shall—

3 “(1) approve such plan; or

4 “(2) provide to the FirstNet contractor a writ-
5 ten notice of—

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

8 “(B) the timeframe and process, as deter-
9 mined by the NTIA, for resubmitting such plan
10 for approval.”.

11 **SEC. 10. OUTAGE NOTIFICATIONS.**

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

16 **“SEC. 6217. OUTAGE NOTIFICATIONS.**

17 “In the case of any outage with respect to the nation-
18 wide public safety broadband network—

19 “(1) as soon as practicable, but not later than
20 30 minutes, after the FirstNet contractor has con-
21 firmed such outage, the FirstNet contractor shall
22 notify the First Responder Network Authority of
23 such outage;

24 “(2) the FirstNet contractor shall provide to
25 the departments and agencies that use such network

1 a network status tool that provides timely informa-
2 tion on such outage; and

3 “(3) after receiving a notification under para-
4 graph (1), the First Responder Network Authority
5 shall report such outage for purposes of the—

6 “(A) Network Outage Reporting System of
7 the Federal Communications Commission; and

8 “(B) Disaster Information Reporting Sys-
9 tem of the Federal Communications Commis-
10 sion.”.

11 **SEC. 11. SUBMISSION TO CONGRESS OF FIRSTNET CON-**
12 **TRACT.**

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

17 **“SEC. 6218. SUBMISSION TO CONGRESS OF FIRSTNET CON-**
18 **TRACT.**

19 “Not later than 7 days after receiving a request, in
20 writing, from the Chair and Ranking Member of the Com-
21 mittee on Energy and Commerce of the House of Rep-
22 resentatives, or from the Chair and Ranking Member of
23 the Committee on Commerce, Science, and Transportation
24 of the Senate, the First Responder Network Authority
25 shall submit to such Committee any contract between the

1 First Responder Network Authority and the FirstNet con-
2 tractor with respect to building, operating, or maintaining
3 the nationwide public safety broadband network.”.

4 **SEC. 12. DEFINITIONS.**

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

7 (1) by redesignating paragraphs (19) through
8 (33) as paragraphs (21) through (35), respectively;
9 (2) by redesignating paragraphs (15) through
10 (18) as paragraphs (16) through (19), respectively;
11 (3) by inserting after paragraph (14) the fol-
12 lowing:

13 “(15) FIRSTNET CONTRACTOR.—The term
14 ‘FirstNet contractor’ means the entity that, under
15 contract with the First Responder Network Author-
16 ity, builds, operates, and maintains the nationwide
17 public safety broadband network.”; and

18 (4) by inserting after paragraph (19) (as so re-
19 designated) the following:

20 “(20) INTEROPERABLE; INTEROPERABILITY.—
21 The terms ‘interoperable’ and ‘interoperability’ mean
22 ensuring, and the ensuring of, respectively, commu-
23 nications for public safety entities between networks,
24 providers of commercial mobile service and commer-
25 cial mobile data service, and jurisdictions through

1 the use of commercial standards for mission-critical
2 services, quality of service, and priority mecha-
3 nisms.”.