



February 2020

## Section-by-Section Summary

H.R. 5926, the RESILIENT Networks Act

**COMMITTEE ON ENERGY & COMMERCE**

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**Energy and Commerce Committee Chairman Frank Pallone, Jr. (D-NJ) and Rep. Jerry McNerney (D-CA) introduced H.R. 5926, the Reinforcing and Evaluating Service Integrity, Local Infrastructure, and Emergency Notification for Today's Networks Act, or the RESILIENT Networks Act, on February 18, 2019.**

Americans depend on communications networks to call for help, contact loved ones, and access critical emergency response information when disaster strikes. As environmental and climate factors cause the size and severity of natural disasters to grow worse, communications networks are subject to increasing demands. The RESILIENT Networks Act will improve network resiliency in times of emergency.

### **Section 1**

This section names the bill the Reinforcing and Evaluating Service Integrity, Local Infrastructure, and Emergency Notification for Today's Networks Act, or the RESILIENT Networks Act.

### **Section 2**

During previous natural disasters, communications providers and relevant public safety officials have not been able to share timely information to help coordinate response efforts quickly. Furthermore, communications providers have not had agreements to help each other serve consumers during, and following, times of emergency, when network operations are down.

Section 2 instructs the Federal Communications Commission (FCC) to adopt rules requiring pre-planned coordination agreements, such as roaming and peering agreements and mutual aid arrangements, among communications service providers to take effect during times of emergency. This section also requires the FCC to adopt rules to improve coordination and outage information sharing between communications providers, public safety answering points (PSAPs) and covered public safety entities to help direct emergency response efforts.

### **Section 3**

Following previous communications emergencies and disasters, outages have been made worse when critical communications equipment was destroyed as part of other restoration and cleanup efforts.

Section 3 instructs the FCC, in consultation with the Department of Transportation, to complete a study and submit a report to Congress on the feasibility of expanding the one-call notification system, currently used to identify the location of electric and gas transmission lines, to cover communications infrastructure components. Such a system could help prevent critical communications infrastructure from being cut into and compromised by people who are not aware the infrastructure is there.

#### **Section 4**

During and following times of emergency, it is vital for energy utilities and communications companies to coordinate to ensure critical communications equipment does not lose power through the use of backup power and by sharing information that can help energy utilities appropriately reenergize essential parts of the communications networks.

Section 4 instructs the FCC, in consultation with the Department of Energy (DOE) and Department of Homeland Security (DHS), to issue best practices for coordination between communications service providers and utilities during times of emergency and planned power shutoffs. This section also requires the FCC, in consultation with the Department of Energy (DOE) and DHS, to ensure communications service providers take reasonable and technically feasible measures to integrate backup power sources, such as generators and batteries, into their networks to maintain operation during times of emergency.

Section 4 also establishes a process by which communications providers and utilities can share information to prioritize reenergizing parts of the grid powering the most critical communications network infrastructure.

#### **Section 5**

5G promises several benefits to consumers, but it is unclear whether or not 5G services will make our networks more or less resilient to disasters.

Section 5 instructs the FCC, in consultation with the DHS, to provide a report to Congress evaluating any unique challenges or advantages of 5G wireless networks with regard to resiliency. Not later than two years after the FCC submits its report, it is required to consider whether certain rules or best practices should be adopted to improve the resiliency of 5G wireless networks.

#### **Section 6**

Many questions remain regarding the FCC's response in Puerto Rico following Hurricane Maria and Irma and specifically whether the FCC could have done more sooner to restore communications services to the island in the wake of the 2017 hurricane season.

Section 6 instructs the Comptroller General to conduct an audit of the FCC's response to the 2017 hurricane season in Puerto Rico and provide a report to Congress on its findings and recommendations, not later than 18 months after the date of enactment of this Act. This section also requires the FCC to commence a proceeding, not later than two years after the date of enactment of this Act, to address the findings and recommendations of the Comptroller General in the report required by this section.

#### **Section 7**

Section 7 stipulates that nothing in this Act shall affect the operation or authority of FirstNet.

#### **Section 8**

Section 8 defines the term "Commission" as meaning the Federal Communications Commission.