

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1063

[Report No. 109- ]

To promote and enhance public safety and to encourage the rapid deployment of IP-enabled voice services.

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IN THE SENATE OF THE UNITED STATES

MAY 18, 2005

Mr. NELSON of Florida (for himself, Mr. BURNS, and Mrs. CLINTON) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

NOVEMBER —, 2005

Reported by Mr. STEVENS, with an amendment in the nature of a substitute  
[Strike all after the enacting clause and insert the part printed in italic]

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## A BILL

To promote and enhance public safety and to encourage the rapid deployment of IP-enabled voice services.

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.**

4 This Act may be cited as the “~~IP-Enabled Voice~~  
5 ~~Communications and Public Safety Act of 2005~~”.

1 **SEC. 2. EMERGENCY SERVICE.**

2 (a) ~~911 and E-911 Services.~~—Notwithstanding sec-  
3 tion ~~2(b)~~ or any other provision of the Communications  
4 Act of 1934, the Commission shall prescribe regulations  
5 to establish a set of requirements or obligations on pro-  
6 viders of IP-enabled voice service to ensure that 911 and  
7 ~~E-911~~ services are available to customers to IP-enabled  
8 voice service. Such regulations shall include an appro-  
9 priate transition period by which to comply with such re-  
10 quirements or obligations and take into consideration  
11 available industry technological and operational standards,  
12 including network security.

13 (b) ~~NON-DISCRIMINATORY ACCESS TO CAPABILI-~~  
14 ~~TIES.~~—Each entity with ownership or control of the nec-  
15 essary emergency services infrastructure shall provide any  
16 requesting IP-enabled voice service provider with non-  
17 discriminatory access to their equipment, network, data-  
18 bases, interfaces and any other related capabilities nec-  
19 essary for the delivery and completion of 911 and ~~E911~~  
20 calls and information related to such 911 or ~~E911~~ calls.  
21 Such access shall be consistent with industry standards  
22 established by the National Emergency Number Associa-  
23 tion or other applicable industry standards organizations.  
24 Such entity shall provide access to the infrastructure at  
25 just and reasonable, nondiscriminatory rates, terms and  
26 conditions. The telecommunications carrier or other entity

1 shall provide such access to the infrastructure on a stand-  
2 alone basis.

3 (c) STATE AUTHORITY.—Nothing in this Act, the  
4 Communications Act of 1934, or any Commission regula-  
5 tion or order shall prevent the imposition on or collection  
6 from a provider of voice services, including IP-enabled  
7 voice services, of any fee or charge specifically designated  
8 or presented as dedicated by a State, political subdivision  
9 thereof, or Indian tribe on an equitable, and non-discrimi-  
10 natory basis for the support of 911 and E-911 services  
11 if no portion of the revenue derived from such fee or  
12 charge is obligated or expended for any purpose other than  
13 support of 911 and E-911 services or enhancements of  
14 such services.

15 (d) STANDARD.—The Commission may establish reg-  
16 ulations imposing requirements or obligations on providers  
17 of voice services, entities with ownership or control of  
18 emergency services infrastructure under subsections (a)  
19 and (b) only to the extent that the Commission determines  
20 such regulations are technologically and operationally fea-  
21 sible.

22 (e) CUSTOMER NOTICE.—Prior to the compliance  
23 with the rules as required by subsection (a), a provider  
24 of an IP-enabled voice service that is not capable of pro-  
25 viding 911 and E-911 services shall provide a clear and

1 conspicuous notice of the unavailability of such services  
2 to each customer at the time of entering into a contract  
3 for such service with that customer.

4 (f) VOICE SERVICE PROVIDER RESPONSIBILITY.—An  
5 IP-enabled voice service provider shall have the sole re-  
6 sponsibility for the proper design, operation, and function  
7 of the 911 and E911 access capabilities offered to the pro-  
8 vider's customers.

9 (g) PARITY OF PROTECTION FOR PROVISION OR USE  
10 OF IP-ENABLED VOICE SERVICE.—

11 (1) PROVIDER PARITY.—If a provider of an IP-  
12 enabled voice service offers 911 or E-911 services in  
13 compliance with the rules required by subsection (a),  
14 that provider, its officers, directors, employees, ven-  
15 dors, and agents, shall have immunity or other pro-  
16 tection from liability of a scope and extent that is  
17 not less than the scope and extent of immunity or  
18 other protection from liability that any local ex-  
19 change company, and its officers directors, employ-  
20 ees, vendors, or agents, have under the applicable  
21 Federal and State law (whether through statute, ju-  
22 dicial decision, tariffs filed by such local exchange  
23 company, or otherwise), including in connection with  
24 an act or omission involving the release of subscriber  
25 information related to the emergency calls or emer-

1 agency services to a public safety answering point,  
2 emergency medical service provider, or emergency  
3 dispatch provider, public safety, fire service, or law  
4 enforcement official, or hospital emergency or trauma  
5 care facility.

6 (2) ~~USER PARITY.~~—A person using an IP-en-  
7 abled voice service that offers 911 or ~~E-911~~ services  
8 pursuant to this subsection shall have immunity or  
9 other protection from liability of a scope and extent  
10 that is not less than the scope and extent of immu-  
11 nity or other protection from liability under applica-  
12 ble law in similar circumstances of a person using  
13 911 or ~~E-911~~ service that is not provided through  
14 an IP-enabled voice service.

15 (3) ~~PSAP PARITY.~~—In matters related to IP-  
16 enabled 911 and ~~E-911~~ communications, a PSAP,  
17 and its employees, vendors, agents, and authorizing  
18 government entity (if any) shall have immunity or  
19 other protection from liability of a scope and extent  
20 that is not less than the scope and extent of immu-  
21 nity or other protection from liability under applica-  
22 ble law accorded to such PSAP, employees, vendors,  
23 agents, and authorizing government entity, respec-  
24 tive, in matters related to 911 or ~~E-911~~ communica-

1 tions that are not provided via an IP-enabled voice  
2 service.

3 (h) ~~DELEGATION PERMITTED.~~—The Commission  
4 may, in the regulations prescribed under this section, pro-  
5 vide for the delegation to State commissions of authority  
6 to implement and enforce the requirements of this section  
7 and the regulations thereunder.

8 **SEC. 3. MIGRATION TO IP-ENABLED EMERGENCY NET-**  
9 **WORK.**

10 Section 158 of the National Telecommunications and  
11 Information Administration Organization Act (as added  
12 by section 104 of the ~~ENHANCE 911 Act of 2004~~) is  
13 amended—

14 (1) by redesignating subsections (d) and (e) as  
15 subsections (e) and (f), respectively; and

16 (2) by inserting after subsection (e) the fol-  
17 lowing:

18 “(d) ~~MIGRATION PLAN REQUIRED.~~—

19 “(1) ~~NATIONAL PLAN REQUIRED.~~—No more  
20 than 18 months after the date of the enactment of  
21 the ~~ENHANCE 911 Act of 2004~~, the Office shall  
22 develop and report to Congress on a national plan  
23 for migrating to a national IP-enabled emergency  
24 network capable of receiving and responding to all  
25 citizen activated emergency communications.

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

3                   ~~“(A) outline the potential benefits of such~~  
4                   a migration;

5                   ~~“(B) identify barriers that must be over-~~  
6                   come and funding mechanisms to address those  
7                   barriers;

8                   ~~“(C) include a proposed timetable, an out-~~  
9                   line of costs and potential savings;

10                  ~~“(D) provide specific legislative language,~~  
11                  if necessary, for achieving the plan; and

12                  ~~“(E) provide recommendations on any leg-~~  
13                  islative changes, including updating definitions,  
14                  to facilitate a national IP-enabled emergency  
15                  network.

16           ~~“(3) CONSULTATION.—~~In developing the plan  
17           required by paragraph (1), the Office shall consult  
18           with representatives of the public safety community,  
19           technology and telecommunications providers, and  
20           others it deems appropriate.”.

21 **SEC. 4. DEFINITIONS.**

22           (a) **IN GENERAL.—**For purposes of this Act:

23                   (1) **911 AND E-911 SERVICES.—**

24                           (A) **911.—**The term “911” means a serv-  
25                           ice that allows a user, by dialing the three-digit

1 code 911, to call a public safety answering  
2 point operated by a State, local government, In-  
3 dian tribe, or authorized entity.

4 (B) ~~E-911~~.—The term “~~E-911~~ service”  
5 means a 911 service that automatically delivers  
6 the 911 call to the appropriate public safety an-  
7 swering point, and provides automatic identi-  
8 fication data, including the originating number  
9 of an emergency call, the physical location of  
10 the caller, and the capability for the public safe-  
11 ty answering point to call the user back if the  
12 call is disconnected.

13 (2) ~~IP-ENABLED VOICE SERVICE~~.—The term  
14 “~~IP-enabled voice service~~” means an IP-enabled  
15 service used for real-time 2-way or multidirectional  
16 voice communications offered to a customer that—

17 (A) uses North American Numbering Plan  
18 administered telephone numbers, or successor  
19 protocol; and

20 (B) has two-way interconnection or other-  
21 wise exchange traffic with the public switched  
22 telephone network.

23 (3) ~~CUSTOMER~~.—The term “customer” includes  
24 a consumer of goods or services whether for a fee,

1 in exchange for an explicit benefit, or provided for  
2 free.

3 (4) ~~IP-ENABLED SERVICE.~~—The term “IP-en-  
4 abled service” means the use of software, hardware,  
5 or network equipment that enable an end user to  
6 send or receive a communication over the public  
7 Internet or a private network utilizing Internet pro-  
8 tocol, or any successor protocol, in whole or part, to  
9 connect users—

10 (A) regardless of whether the communica-  
11 tion is voice, data, video, or other form; and

12 (B) notwithstanding —

13 (i) the underlying transmission tech-  
14 nology used to transmit the communica-  
15 tions;

16 (ii) whether the packetizing and  
17 depacketizing of the communications oc-  
18 curs at the customer premise or network  
19 level; or

20 (iii) the software, hardware, or net-  
21 work equipment used to connect users.

22 (5) ~~PUBLIC SWITCHED TELEPHONE NET-~~  
23 ~~WORK.~~—The term “public switched telephone net-  
24 work” means any switched common carrier service

1 that is interconnected with the traditional local ex-  
2 change or interexchange switched network.

3 (6) PSAP.—The term “public safety answering  
4 point” or “PSAP” means a facility that has been  
5 designated to receive 911 calls.

6 (b) COMMON TERMINOLOGY.—Except as otherwise  
7 provided in subsection (a), terms used in this Act have  
8 the meanings provided under section 3 of the Communica-  
9 tions Act of 1934.

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

11 (a) SHORT TITLE.—This Act may be cited as the “IP-  
12 Enabled Voice Communications and Public Safety Act of  
13 2005”.

14 (b) TABLE OF CONTENTS.—The table of contents for  
15 this Act is as follows:

*Sec. 1. Short title; table of contents.*

*Sec. 2. Emergency service.*

*Sec. 3. Enforcement.*

*Sec. 4. Migration to IP-enabled emergency network.*

*Sec. 5. Definitions.*

16 **SEC. 2. EMERGENCY SERVICE.**

17 (a) 911 AND E-911 SERVICES.—

18 (1) IN GENERAL.—The Federal Communications  
19 Commission shall review the requirements established  
20 in its Report and Order in WC Docket Nos. 04-36  
21 and 05-196 and shall, within 120 days after the date  
22 of enactment of this Act, revise its regulations as may  
23 be necessary, or promulgate such additional regula-

1        *tions as may be necessary, to establish requirements*  
2        *that are technologically and operationally feasible for*  
3        *providers of IP-enabled voice service to ensure that*  
4        *911 and E-911 services are available to subscribers to*  
5        *IP-enabled voice services.*

6            (2) *CONTENT.—In the regulations prescribed*  
7        *under paragraph (1), the Commission shall include*  
8        *an appropriate transition period for compliance with*  
9        *those requirements that takes into consideration—*

10            (A) *available industry technology and oper-*  
11            *ational standards;*

12            (B) *network security; and*

13            (C) *public safety answering point capabili-*  
14            *ties.*

15            (3) *DELEGATION OF ENFORCEMENT TO STATE*  
16        *COMMISSIONS.—The Commission may delegate au-*  
17        *thority to enforce the rules and regulations issued*  
18        *under this Act to State commissions or other State*  
19        *agencies or programs with jurisdiction over emer-*  
20        *gency communications.*

21            (4) *EFFECTIVE DATE.—The regulations pre-*  
22        *scribed under paragraph (1) may not take effect ear-*  
23        *lier than 90 days after the date on which the Com-*  
24        *mission issues a final rule under that paragraph.*

1       **(b) ACCESS TO 911 COMPONENTS.**—*Within 90 days*  
2 *after the date of enactment of this Act, the Commission shall*  
3 *issue regulations regarding access by IP-enabled voice serv-*  
4 *ice providers to 911 components that permit any IP-enabled*  
5 *voice service provider to elect to be treated as a commercial*  
6 *mobile service provider for the purpose of access to any 911*  
7 *component, except that the regulations issued under this*  
8 *subsection may take into account any technical or network*  
9 *security issues that are specific to IP-enabled voice services.*

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

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

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

1           (d) *GRANDFATHERING OF CURRENT IP-ENABLED*  
2 *VOICE SERVICE SUBSCRIBERS.*—

3           (1) *IN GENERAL.*—*A provider of IP-enabled voice*  
4 *service may continue to provide service to each sub-*  
5 *scriber who subscribed to that service as of December*  
6 *31, 2005, to whom notice has been given in accord-*  
7 *ance with the requirements of the Commission’s Re-*  
8 *port and Order in WC Docket Nos. 04–36 and 05–*  
9 *196 if—*

10                   (A) *the provider has received an acknowl-*  
11 *edgement in writing or by electronic means by*  
12 *the subscriber of receipt of the notice; or*

13                   (B) *the provider continues to give clear and*  
14 *conspicuous notice of the unavailability of 911 or*  
15 *E–911 service, or either service, in billing state-*  
16 *ments or their equivalent sent to the subscriber.*

17           (2) *CONTINUED SERVICE.*—*The Commission may*  
18 *not require a provider of IP-enabled voice service to*  
19 *terminate service to a subscriber described in para-*  
20 *graph (1) as long as the provider is in compliance*  
21 *with the requirements of that paragraph and the reg-*  
22 *ulations prescribed under this subsection.*

23           (3) *REPORTING REQUIREMENT.*—*A provider of*  
24 *IP-enabled voice service that continues to provide*  
25 *service under paragraphs (1) and (2) shall file a re-*

1        *port with the Commission every 6 months detailing*  
2        *its efforts to identify and implement a 911 or E-911*  
3        *solution or both.*

4            (4) *COMPLIANCE WITH REGARD TO NEW SUB-*  
5        *SCRIBERS.—Nothing in this subsection shall be con-*  
6        *strued to authorize a provider of IP-enabled voice*  
7        *service to add subscribers to such service after Decem-*  
8        *ber 31, 2005, if the provider is not in compliance*  
9        *with the Commission’s 911 and E-911 regulations for*  
10       *IP-enabled voice service providers.*

11       (e) *TECHNICAL AND OPERATIONAL FEASIBILITY.—*

12            (1) *SPECIAL WAIVERS.—The Commission shall*  
13        *wave the 911 and E-911 requirements contained in*  
14        *the Commission’s Report and Order in WC Docket*  
15        *Nos. 04-36 and 05-196, together with any regulations*  
16        *promulgated under subsection (a), for a provider of*  
17        *IP-enabled voice service if—*

18            (A) *the provider gives a separate, clear, and*  
19        *conspicuous notice to its subscribers that it does*  
20        *not offer 911 service, E-911 service, or either*  
21        *service, as the case may be, to its IP-enabled*  
22        *voice service subscribers;*

23            (B) *the subscriber separately acknowledges*  
24        *receipt of that notice in writing or by electronic*  
25        *means; and*

1           (C) the provider demonstrates that it is not  
2           technically or operationally feasible for its IP-  
3           enabled voice service to comply with those 911  
4           and E-911 requirements, which may include  
5           technical and operational feasibility relative to  
6           its portable or nomadic IP-enabled voice service.

7           (2) *PRESUMPTION.*—A provider of IP-enabled  
8           voice service shall be presumed to have complied with  
9           the requirements of subparagraphs (A) and (B) of  
10          paragraph (1) with respect to subscribers whose sub-  
11          scriptions commenced before the date of enactment of  
12          this Act if the provider has met the subscriber ac-  
13          knowledgement requirements in the Commission’s Re-  
14          port and Order in WC Docket Nos. 04–36 and 05–  
15          196 with respect to 90 percent of those subscribers.

16          (3) *TERM OF WAIVER.*—The Commission may  
17          not grant a waiver under paragraph (1) for a period  
18          of more than 12 months at a time.

19          (4) *GEOGRAPHIC LIMITATION.*—The Commission  
20          may limit any waiver issued under paragraph (1) by  
21          geographic area if the Commission finds such a limi-  
22          tation is in the public interest.

23          (5) *45-DAY RULE.*—The Commission shall grant  
24          or deny a waiver under paragraph (1) within 45  
25          days after it receives a complete waiver request from

1        *a provider of IP-enabled voice service. If the Commis-*  
2        *sion fails to act within 45 days then the waiver shall*  
3        *be deemed granted.*

4            (6) *SUNSET OF WAIVER AUTHORITY.—The Com-*  
5        *mission may not grant a waiver under paragraph (1)*  
6        *more than 48 months after the date of enactment of*  
7        *this Act.*

8            (f) *PARITY OF PROTECTION FOR PROVISION OR USE*  
9        *OF IP-ENABLED VOICE SERVICE.—A provider or user of*  
10       *IP-enabled voice services, a PSAP, and the officers, direc-*  
11       *tors, employees, vendors, agents, and authorizing govern-*  
12       *ment entity (if any) of such provider, user, or PSAP, shall*  
13       *have the same scope and extent of immunity and other pro-*  
14       *tection from liability under Federal and State law with re-*  
15       *spect to—*

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

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

20            (3) *other matters related to 911 and E-911 serv-*  
21        *ices,*

22        *as section 4 of the Wireless Communications and Public*  
23        *Safety Act of 1999 (47 U.S.C. 615a) provides to wireless*  
24        *carriers, PSAPs, and users of wireless 9-1-1 service (as de-*  
25        *finied in paragraphs (4), (3), and (6), respectively, of section*

1 *6 of that Act (47 U.S.C. 615b)) with respect to such release,*  
2 *use, and other matters.*

3 *(g) LIMITATION ON COMMISSION.—Nothing in this sec-*  
4 *tion shall be construed to permit the Commission to issue*  
5 *regulations that require or impose a specific technology or*  
6 *technological standard.*

7 **SEC. 3. ENFORCEMENT.**

8 *The Commission shall enforce this Act, and any regu-*  
9 *lation promulgated under this Act, under the Communica-*  
10 *tions Act of 1934 (47 U.S.C. 151 et seq.) as if this Act were*  
11 *a part of that Act. For purposes of this section any violation*  
12 *of this Act, or any regulation promulgated under this Act,*  
13 *is deemed to be a violation of the Communications Act of*  
14 *1934.*

15 **SEC. 4. MIGRATION TO IP-ENABLED EMERGENCY NETWORK.**

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

19 *(1) by redesignating subsections (d) and (e) as*  
20 *subsections (e) and (f), respectively;*

21 *(2) by inserting after subsection (c) the fol-*  
22 *lowing:*

23 *“(d) MIGRATION PLAN REQUIRED.—*

24 *“(1) NATIONAL PLAN REQUIRED.—No more than*  
25 *18 months after the date of the enactment of the IP-*

1       *Enabled Voice Communications and Public Safety*  
2       *Act of 2005, the Office shall develop and report to*  
3       *Congress on a national plan for migrating to a na-*  
4       *tional IP-enabled emergency network capable of re-*  
5       *ceiving and responding to all citizen activated emer-*  
6       *gency communications.*

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

9                       “(A) *outline the potential benefits of such a*  
10       *migration;*

11                      “(B) *identify barriers that must be over-*  
12       *come and funding mechanisms to address those*  
13       *barriers;*

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

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

18                      “(E) *provide recommendations on any legis-*  
19       *lative changes, including updating definitions, to*  
20       *facilitate a national IP-enabled emergency net-*  
21       *work; and*

22                      “(F) *assess, collect, and analyze the experi-*  
23       *ences of the PSAPs and related public safety au-*  
24       *thorities who are conducting trial deployments of*  
25       *IP-enabled emergency networks as of the date of*

1           *enactment of the IP-Enabled Voice Communica-*  
2           *tions and Public Safety Act of 2005.*

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

8           (3) *by striking “services” in subsection (b)(1)*  
9           *and inserting “services, and, upon completion of de-*  
10           *velopment of the national plan for migrating to a na-*  
11           *tional IP-enabled emergency network under subsection*  
12           *(d), for migration to an IP-enabled emergency net-*  
13           *work.”.*

14           (b) *REPORT ON PSAPs.*—

15           (1) *IN GENERAL.*—*Not later than 180 days after*  
16           *the date of enactment of this Act, the Commission*  
17           *shall—*

18                   (A) *compile a list of all known public safety*  
19                   *answering points, including such contact infor-*  
20                   *mation regarding public safety answering points*  
21                   *as the Commission determines appropriate;*

22                   (B) *organize such list by county, town,*  
23                   *township, parish, village, hamlet, or other gen-*  
24                   *eral purpose political subdivision of a State; and*

25                   (C) *make available from such list—*

1                   (i) to the public, on the Internet  
2                   website of the Commission—

3                   (I) the 10 digit telephone number  
4                   of those public safety answering points  
5                   appearing on such list; and

6                   (II) a statement explicitly warn-  
7                   ing the public that such telephone  
8                   numbers are not intended for emer-  
9                   gency purposes and as such may not be  
10                  answered at all times; and

11                  (ii) to public safety answering points  
12                  all contact information compiled by the  
13                  Commission.

14                  (2) CONTINUING DUTY.—The Commission shall  
15                  continue—

16                  (A) to update the list made available to the  
17                  public described in paragraph (1)(C); and

18                  (B) to improve for the benefit of the public  
19                  the accessibility, use, and organization of such  
20                  list.

21                  (3) PSAPS REQUIRED TO COMPLY.—Each public  
22                  safety answering point shall provide all requested  
23                  contact information to the Commission as requested.

24                  (c) REPORT ON SELECTIVE ROUTERS.—

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

4                   (A) compile a list of selective routers, in-  
5                   cluding the contact information of the owners of  
6                   such routers;

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

10                   (C) make such list available to providers of  
11                   telecommunications service and to providers of  
12                   IP-enabled voice service who are seeking to pro-  
13                   vide E-911 service to their subscribers.

14 **SEC. 5. DEFINITIONS.**

15           (a) *IN GENERAL.*—For purposes of this Act:

16                   (1) *911.*—The term “911” means a service that  
17                   allows a user, by dialing the three-digit code 911, to  
18                   call a public safety answering point operated by a  
19                   State, local government, Indian tribe, or authorized  
20                   entity.

21                   (2) *911 COMPONENT.*—The term “911 compo-  
22                   nent” means any equipment, network, databases (in-  
23                   cluding automatic location information databases  
24                   and master street address guides), interface, selective  
25                   router, trunkline, or other related facility necessary

1       *for the delivery and completion of 911 or E-911 calls*  
2       *and information related to such calls to which the*  
3       *Commission requires access pursuant to its rules and*  
4       *regulations.*

5           (3) *E-911 SERVICE.*—*The term “E-911 service”*  
6       *means a 911 service that automatically delivers the*  
7       *911 call to the appropriate public safety answering*  
8       *point, and provides automatic identification data, in-*  
9       *cluding the originating number of an emergency call,*  
10       *the physical location of the caller, and the capability*  
11       *for the public safety answering point to call the user*  
12       *back if the call is disconnected.*

13           (4) *IP-ENABLED VOICE SERVICE.*—*The term “IP-*  
14       *enabled voice service” means the provision of real-*  
15       *time 2-way voice communications offered to the pub-*  
16       *lic, or such classes of users as to be effectively avail-*  
17       *able to the public, transmitted through customer*  
18       *premises equipment using TCP/IP protocol, or a suc-*  
19       *cessor protocol, for a fee (whether part of a bundle of*  
20       *services or separately) with 2-way interconnection ca-*  
21       *pability such that the service can originate traffic to,*  
22       *and terminate traffic from, the public switched tele-*  
23       *phone network.*

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

4           (b) *COMMON TERMINOLOGY*.—*Except as otherwise pro-*  
5           *vided in subsection (a), terms used in this Act have the*  
6           *meanings provided under section 3 of the Communications*  
7           *Act of 1934.*

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