

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 7386
OFFERED BY Ms. McCLELLAN OF VIRGINIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

5 (b) TABLE OF CONTENTS.—The table of contents for
6 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.

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

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

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

4 (2) in subsection (g)—

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

11 (B) by striking “15-year sunset” and in-
12 serting “termination”; and

13 (C) by adding at the end the following:
14 “Such report shall also contain recommenda-
15 tions for Congress and the NTIA regarding
16 preparations for the expiration of any contract
17 between the First Responder Network Author-
18 ity and the FirstNet contractor with respect to
19 building, operating, or maintaining the nation-
20 wide public safety broadband network.”.

21 **SEC. 3. AUTHORITY OF NTIA OVER FIRST RESPONDER NET-**
22 **WORK AUTHORITY.**

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

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

3 (2) in section 6206—

4 (A) by redesignating subsections (d), (e),
5 (f), and (g) as subsections (e), (f), (g), and (h),
6 respectively;

7 (B) by inserting after subsection (c) the
8 following:

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

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

13 “(2) MANNER OF APPROVAL.—

14 “(A) PRIOR APPROVAL.—Except as pro-
15 vided in subparagraph (B), the First Responder
16 Network Authority may not take an action un-
17 less the NTIA has provided prior approval for
18 such action.

19 “(B) ACTIONS FOR WHICH PRIOR AP-
20 PROVAL NOT REQUIRED.—The First Responder
21 Network Authority may take any of the fol-
22 lowing actions without prior approval by the
23 NTIA:

1 “(i) Deploying emergency response ca-
2 pabilities and resources to emergencies and
3 disasters.

4 “(ii) Setting strategic priorities and
5 conducting planning activities with respect
6 to the nationwide public safety broadband
7 network.

8 “(iii) Maintaining and updating the
9 First Responder Network Authority Stra-
10 tegic Plan and Roadmap or a similar docu-
11 ment with respect to the growth, evolution,
12 and advancement of the nationwide public
13 safety broadband network.

14 “(iv) Establishing performance expec-
15 tations and investment priorities with re-
16 spect to the nationwide public safety
17 broadband network.

18 “(v) Developing and adopting the an-
19 nual budget of the First Responder Net-
20 work Authority and outlining all network
21 reinvestment decisions and task orders
22 with respect to the nationwide public safe-
23 ty broadband network.

24 “(vi) Making written recommenda-
25 tions to the NTIA for action upon network

1 reinvestment decisions and task orders
2 with respect to the nationwide public safe-
3 ty broadband network.

4 “(vii) Managing the device and appli-
5 cation ecosystem with respect to the na-
6 tionwide public safety broadband network.

7 “(viii) Receiving reports from the
8 Public Safety Advisory Committee or other
9 advisory committees established by the
10 First Responder Network Authority.

11 “(ix) Communicating with and con-
12 ducting outreach to public safety entities
13 and public safety professionals.

14 “(x) Reporting to and briefing Con-
15 gress, in accordance with this subtitle.

16 “(xi) Such other actions as the NTIA
17 may specify.

18 “(C) RULE OF CONSTRUCTION.—Nothing
19 in this paragraph may be construed to alter the
20 requirement of subsection (e) of section 6208
21 that fees may only be assessed under such sec-
22 tion if approved by the NTIA.”; and

23 (C) in subsection (h) (as so redesignated),
24 by striking “subsection (f)” and inserting “sub-
25 section (g)”;

1 (3) in section 6208(d)—

2 (A) by striking “The First Responder Net-
3 work Authority” and inserting the following:

4 “(1) IN GENERAL.—The First Responder Net-
5 work Authority”; and

6 (B) by adding at the end the following:

7 “(2) NTIA ACTION ON NETWORK REINVEST-
8 MENT DECISIONS AND TASK ORDERS.—Not later
9 than 60 days after the date on which the NTIA re-
10 ceives a written recommendation from the First Re-
11 sponder Network Authority for action upon a net-
12 work reinvestment decision or task order with re-
13 spect to the nationwide public safety broadband net-
14 work, the NTIA shall take action upon such network
15 reinvestment decision or task order.”.

16 (b) CONFORMING AMENDMENT.—Section 6205(b)(2)
17 of the Middle Class Tax Relief and Job Creation Act of
18 2012 (47 U.S.C. 1425(b)(2)) is amended by striking “If”
19 and inserting “Subject to section 6206(d), if”.

20 (c) APPLICABILITY.—The amendments made by this
21 section shall apply with respect to—

22 (1) except as provided in paragraph (2) of this
23 subsection, actions taken by the First Responder
24 Network Authority on or after the date of the enact-
25 ment of this Act; and

1 (2) in the case of paragraph (2) of section
2 6208(d) of the Middle Class Tax Relief and Job
3 Creation Act of 2012 (47 U.S.C. 1428(d)), as added
4 by this section, written recommendations received by
5 the National Telecommunications and Information
6 Administration on or after the date of the enactment
7 of this Act.

8 **SEC. 4. BOARD OF FIRST RESPONDER NETWORK AUTHOR-**
9 **ITY.**

10 (a) **PUBLIC SAFETY PROFESSIONALS.**—Section
11 6204(b)(2)(A) of the Middle Class Tax Relief and Job
12 Creation Act of 2012 (47 U.S.C. 1424(b)(2)(A)) is
13 amended by amending clause (iv) to read as follows:

14 “(iv) ensure that, on and after the
15 date that is 3 years after the date of the
16 enactment of the First Responder Network
17 Authority Reauthorization Act of 2026, the
18 Board includes not fewer than 5 individ-
19 uals serving as State, local, or Tribal pub-
20 lic safety professionals in the fields of fire
21 response services, emergency medical serv-
22 ices, emergency management services, law
23 enforcement, or 9–1–1 services.”.

24 (b) **STAGGERED TERMS.**—

1 (1) IN GENERAL.—Section 6204(c)(2) of the
2 Middle Class Tax Relief and Job Creation Act of
3 2012 (47 U.S.C. 1424(c)(2)) is amended—

4 (A) in subparagraph (A)(ii), by striking “3
5 years” and inserting “not more than 3 years”;
6 and

7 (B) by amending subparagraph (D) to
8 read as follows:

9 “(D) STAGGERED TERMS.—In making ap-
10 pointments under subsection (b)(1)(D), the Sec-
11 retary of Commerce shall ensure that the terms
12 of office of individuals so appointed are stag-
13 gered, as the Secretary considers appropriate to
14 reduce the likelihood that the terms of office of
15 more than 4 such individuals will expire at the
16 same time.”.

17 (2) APPLICABILITY.—The amendments made
18 by this subsection shall apply with respect to ap-
19 pointments made on or after the date of the enact-
20 ment of this Act.

21 **SEC. 5. ASSOCIATE ADMINISTRATOR.**

22 (a) IN GENERAL.—Section 6204 of the Middle Class
23 Tax Relief and Job Creation Act of 2012 (47 U.S.C.
24 1424) is amended by adding at the end the following:

25 “(h) ASSOCIATE ADMINISTRATOR.—

1 “(1) IN GENERAL.—The First Responder Net-
2 work Authority shall have an Associate Adminis-
3 trator, who shall be a career appointee (as defined
4 in section 3132(a) of title 5, United States Code) in
5 the Senior Executive Service and who shall be ap-
6 pointed by the Assistant Secretary from among 3 in-
7 dividuals nominated by the Board. The Assistant
8 Secretary shall make such appointment under the
9 merit procedures applicable to appointing such ca-
10 reer appointees under subchapter II of chapter 31 of
11 such title 5.

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

14 “(A) Subject to the direction of the Board
15 and approval by the Assistant Secretary under
16 section 6206(d), manage the staff and oper-
17 ations of the First Responder Network Author-
18 ity in order to ensure that the duties and re-
19 sponsibilities of the First Responder Network
20 Authority are carried out.

21 “(B) Serve as a liaison between the Board
22 and the Assistant Secretary, including with re-
23 spect to ensuring compliance by the First Re-
24 sponder Network Authority with section
25 6206(d).

1 “(3) ANNUAL PERFORMANCE REVIEWS.—The
2 NTIA, in consultation with the Chair of the Board
3 and any committee of the Board relating to govern-
4 ance and risk, shall conduct an annual performance
5 review of the Associate Administrator.”.

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

15 **SEC. 6. COMPONENTS OF NATIONWIDE PUBLIC SAFETY**
16 **BROADBAND NETWORK.**

17 Section 6202(b) of the Middle Class Tax Relief and
18 Job Creation Act of 2012 (47 U.S.C. 1422(b)) is amend-
19 ed, in the matter preceding paragraph (1), by striking
20 “and initially consists of” and inserting “and consists of
21 such technologies and services as necessary to enable se-
22 cure, interoperable, resilient, and prioritized broadband
23 communications for public safety 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 NETWORK MATTERS.—The NTIA
9 shall submit to Congress an annual report that includes
10 information on cyberattacks, cyber defense efforts, and
11 unscheduled service outages of all causes with respect to
12 the nationwide public safety broadband network. Each
13 such annual report—

14 “(1) shall be submitted in unclassified form,
15 but may contain a classified annex; and

16 “(2) at the request of the Board, shall include
17 a statement from the Board with respect to such in-
18 formation.

19 “(b) REPORT ON ADOPTION RATES.—The NTIA
20 shall submit to Congress an annual report on adoption
21 rates, by profession and geographic area, with respect to
22 the nationwide public safety broadband network that, at
23 the request of the Board, shall include a statement from
24 the Board with respect to such adoption rates.”.

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

6 **“SEC. 6215. ANNUAL BRIEFINGS ON FIRST RESPONDER**
7 **NETWORK AUTHORITY.**

8 “Not later than 1 year after the date of the enact-
9 ment of this section, and annually thereafter, the NTLA
10 shall provide to the Committee on Energy and Commerce
11 of the House of Representatives and the Committee on
12 Commerce, Science, and Transportation of the Senate a
13 briefing on activities with respect to the First Responder
14 Network Authority that, at the request of the Board, shall
15 include the participation of the Chair of the Board (or
16 a designee thereof).”.

17 **SEC. 9. BUSINESS CONTINUITY AND DISASTER RECOVERY**
18 **PLAN.**

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

1 **“SEC. 6216. BUSINESS CONTINUITY AND DISASTER RECOV-**
2 **ERY PLAN.**

3 “(a) IN GENERAL.—Not later than 180 days after
4 the date of the enactment of this section, and every 5
5 years thereafter, the FirstNet contractor shall submit to
6 the NTIA for approval, and to the Board for review, a
7 business continuity and disaster recovery plan to ensure
8 rapid restoration of the nationwide public safety
9 broadband network following an outage resulting from a
10 natural disaster or other emergency.

11 “(b) TIMING OF APPROVAL OR REQUEST FOR RE-
12 SUBMISSION.—Not later than 180 days after the date on
13 which the NTIA receives a plan submitted under this sec-
14 tion, the NTIA, in consultation with the Board, shall—

15 “(1) approve such plan; or

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

18 “(A) the reasoning for not approving such
19 plan; and

20 “(B) the timeframe and process, as deter-
21 mined by the NTIA, for resubmitting such plan
22 for approval.”.

23 **SEC. 10. OUTAGE NOTIFICATIONS.**

24 Subtitle B of title VI of the Middle Class Tax Relief
25 and Job Creation Act of 2012 (47 U.S.C. 1421 et seq.),

1 as amended by the preceding provisions of this Act, is fur-
2 ther amended by adding at the end the following:

3 **“SEC. 6217. OUTAGE NOTIFICATIONS.**

4 “In the case of any unscheduled service outage with
5 respect to the nationwide public safety broadband net-
6 work—

7 “(1) as soon as practicable, but not later than
8 30 minutes, after the FirstNet contractor has con-
9 firmed such outage, the FirstNet contractor shall
10 notify the First Responder Network Authority of
11 such outage; and

12 “(2) the FirstNet contractor shall provide to
13 the departments and agencies that use such network
14 a network status tool that provides timely informa-
15 tion on such outage.”.

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

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

22 **“SEC. 6218. SUBMISSION TO CONGRESS OF FIRSTNET CON-**
23 **TRACT.**

24 “Not later than 7 days after receiving a request, in
25 writing, from the Chair and Ranking Member of the Com-

1 mittee on Energy and Commerce of the House of Rep-
2 resentatives, or from the Chair and Ranking Member of
3 the Committee on Commerce, Science, and Transportation
4 of the Senate, the Assistant Secretary shall submit to such
5 Committee any contract between the First Responder Net-
6 work Authority and the FirstNet contractor with respect
7 to building, operating, or maintaining the nationwide pub-
8 lic safety broadband network.”.

9 **SEC. 12. DEFINITIONS.**

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

12 (1) by redesignating paragraphs (15) through
13 (33) as paragraphs (16) through (34), respectively;
14 and

15 (2) by inserting after paragraph (14) the fol-
16 lowing:

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

