

authorization by the Federal Communications Commission or is using duly authorized devices that do not require individual licenses; and

(iii) is added to a tower, building, or other structure.

(2) Executive agency

The term “executive agency” has the meaning given such term in section 102 of title 40.

(Pub. L. 112–96, title VI, §6409, Feb. 22, 2012, 126 Stat. 232; Pub. L. 115–141, div. P, title VI, §606(a), Mar. 23, 2018, 132 Stat. 1101.)

Editorial Notes

REFERENCES IN TEXT

Section 704 of the Telecommunications Act of 1996, referred to in subsecs. (a)(1) and (c)(1), is section 704 of Pub. L. 104–104, title VII, Feb. 8, 1996, 110 Stat. 151. Subsec. (a) of section 704 of Pub. L. 104–104 amended section 332 of this title. Subsec. (b) of section 704 of Pub. L. 104–104 is not classified to the Code. Subsec. (c) of section 704 of Pub. L. 104–104 is set out as a note under section 332 of this title.

The National Historic Preservation Act, referred to in subsec. (a)(3), is Pub. L. 89–665, Oct. 15, 1966, 80 Stat. 915, which was classified generally to subchapter II (§470 et seq.) of chapter 1A of Title 16, Conservation. The Act, except for section 1, was repealed and restated in division A (§300101 et seq.) of subtitle III of Title 54, National Park Service and Related Programs, by Pub. L. 113–287, §§3, 7, Dec. 19, 2014, 128 Stat. 3094, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of Title 16, see Disposition Table preceding section 100101 of Title 54.

The National Environmental Policy Act of 1969, referred to in subsecs. (a)(3) and (b)(3)(C), is Pub. L. 91–190, Jan. 1, 1970, 83 Stat. 852, which is classified generally to chapter 55 (§4321 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of Title 42 and Tables.

AMENDMENTS

2018—Subsecs. (b) to (d). Pub. L. 115–141 added subsecs. (b) to (d) and struck out former subsecs. (b) to (d) which related to Federal easements and rights-of-way, master contracts for wireless facility sitings, and definition of executive agency, respectively.

Statutory Notes and Related Subsidiaries

SAVINGS PROVISIONS

Pub. L. 115–141, div. P, title VI, §606(b), Mar. 23, 2018, 132 Stat. 1103, provided that: “An application for an easement, right-of-way, or lease that was made or granted under section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1455) before the date of enactment of this Act [Mar. 23, 2018] shall continue, subject to that section as in effect on the day before such date of enactment.”

Pub. L. 115–141, div. P, title VI, §606(d), Mar. 23, 2018, 132 Stat. 1104, provided that:

“(1) REAL PROPERTY AUTHORITIES.—Nothing in this section [amending this section and enacting provisions set out as a note under this section], or the amendments made by this section, shall be construed as providing any executive agency with any new leasing or other real property authorities not existing prior to the date of enactment of this Act [Mar. 23, 2018].

“(2) EFFECT ON OTHER LAWS.—Nothing in this section, or the amendments made by this section, and no actions taken pursuant to this section, or the amendments made by this section, shall impact a decision or determination by any executive agency to sell, dispose of, declare excess or surplus, lease, reuse, or redevelop

any Federal real property pursuant to title 40, United States Code, the Federal Assets Sale and Transfer Act of 2016 (Public Law 114–287) [40 U.S.C. 1303 note], or any other law governing real property activities of the Federal Government. No agreement entered into pursuant to this section, or the amendments made by this section, may obligate the Federal Government to hold, control, or otherwise retain or use real property that may otherwise be deemed as excess, surplus, or that could be otherwise sold, leased, or redeveloped.”

§ 1456. System certification

Not later than 6 months after February 22, 2012, the Director of the Office of Management and Budget shall update and revise section 33.4 of OMB Circular A–11 to reflect the recommendations regarding such Circular made in the Commerce Spectrum Management Advisory Committee Incentive Subcommittee report, adopted January 11, 2011.

(Pub. L. 112–96, title VI, §6411, Feb. 22, 2012, 126 Stat. 234.)

§ 1457. Public Safety Trust Fund

(a) Establishment of Public Safety Trust Fund

(1) In general

There is established in the Treasury of the United States a trust fund to be known as the Public Safety Trust Fund.

(2) Availability

Amounts deposited in the Public Safety Trust Fund shall remain available through fiscal year 2022. Any amounts remaining in the Fund after the end of such fiscal year shall be deposited in the general fund of the Treasury, where such amounts shall be dedicated for the sole purpose of deficit reduction.

(b) Use of Fund

As amounts are deposited in the Public Safety Trust Fund, such amounts shall be used to make the following deposits or payments in the following order of priority:

(1) Repayment of amount borrowed for First Responder Network Authority

An amount not to exceed \$2,000,000,000 shall be available to the NTIA to reimburse the general fund of the Treasury for any amounts borrowed under section 1427 of this title.

(2) State and Local Implementation Fund

\$135,000,000 shall be deposited in the State and Local Implementation Fund established by section 1441 of this title.

(3) Buildout by First Responder Network Authority

\$7,000,000,000, reduced by the amount borrowed under section 1427 of this title, shall be deposited in the Network Construction Fund established by section 1426 of this title.

(4) Public safety research

\$100,000,000 shall be available to the Director of NIST to carry out section 1443 of this title.

(5) Deficit reduction

\$20,400,000,000 shall be deposited in the general fund of the Treasury, where such amount shall be dedicated for the sole purpose of deficit reduction.

(6) 9–1–1, E9–1–1, and Next Generation 9–1–1 implementation grants

\$115,000,000 shall be available to the Assistant Secretary and the Administrator of the National Highway Traffic Safety Administration to carry out the grant program under section 942 of this title.

(7) Additional public safety research

\$200,000,000 shall be available to the Director of NIST to carry out section 1443 of this title.

(8) Additional deficit reduction

Any remaining amounts deposited in the Public Safety Trust Fund shall be deposited in the general fund of the Treasury, where such amounts shall be dedicated for the sole purpose of deficit reduction.

(c) Investment

Amounts in the Public Safety Trust Fund shall be invested in accordance with section 9702 of title 31, and any interest on, and proceeds from, any such investment shall be credited to, and become a part of, the Fund.

(Pub. L. 112–96, title VI, §6413, Feb. 22, 2012, 126 Stat. 235.)

SUBCHAPTER V—NEXT GENERATION 9–1–1
ADVANCEMENT ACT OF 2012

§ 1471. Definitions

In this subchapter, the following definitions shall apply:

(1) 9–1–1 services and E9–1–1 services

The terms “9–1–1 services” and “E9–1–1 services” shall have the meaning given those terms in section 942 of this title.

(2) Multi-line telephone system

The term “multi-line telephone system” or “MLTS” means a system comprised of common control units, telephone sets, control hardware and software and adjunct systems, including network and premises based systems, such as Centrex and VoIP, as well as PBX, Hybrid, and Key Telephone Systems (as classified by the Commission under part 68 of title 47, Code of Federal Regulations), and includes systems owned or leased by governmental agencies and non-profit entities, as well as for profit businesses.

(3) Office

The term “Office” means the 9–1–1 Implementation Coordination Office established under section 942 of this title.

(Pub. L. 112–96, title VI, §6502, Feb. 22, 2012, 126 Stat. 237.)

§ 1472. Parity of protection for provision or use of Next Generation 9–1–1 services

(a) Immunity

A provider or user of Next Generation 9–1–1 services, a public safety answering point, and the officers, directors, employees, vendors, agents, and authorizing government entity (if any) of such provider, user, or public safety answering point, shall have immunity and protection from liability under Federal and State law

to the extent provided in subsection (b) with respect to—

(1) the release of subscriber information related to emergency calls or emergency services;

(2) the use or provision of 9–1–1 services, E9–1–1 services, or Next Generation 9–1–1 services; and

(3) other matters related to 9–1–1 services, E9–1–1 services, or Next Generation 9–1–1 services.

(b) Scope of immunity and protection from liability

The scope and extent of the immunity and protection from liability afforded under subsection (a) shall be the same as that provided under section 615a of this title to wireless carriers, public safety answering points, and users of wireless 9–1–1 service (as defined in paragraphs (4), (3), and (6), respectively, of section 615b of this title¹) with respect to such release, use, and other matters.

(Pub. L. 112–96, title VI, §6506, Feb. 22, 2012, 126 Stat. 242.)

Editorial Notes

REFERENCES IN TEXT

Section 615b of this title, referred to in subsec. (b), was in the original a reference to section 6 of the Wireless Communications and Public Safety Act of 1999, Pub. L. 106–81, and was translated as if it had been a reference to section 7 of Pub. L. 106–81, which is classified to section 615b of this title, to reflect the probable intent of Congress and the renumbering of section 6 of Pub. L. 106–81 as section 7 by Pub. L. 110–283, title I, §101(1), July 23, 2008, 122 Stat. 2620. Pub. L. 110–283, title I, §101(3), July 23, 2008, 122 Stat. 2620 enacted a new section 6 of the Wireless Communications and Public Safety Act of 1999 which is classified to section 215a–1 of this title, but that section does not contain definitions.

§ 1473. Commission proceeding on autodialing

(a) In general

Not later than 90 days after February 22, 2012, the Commission shall initiate a proceeding to create a specialized Do-Not-Call registry for public safety answering points.

(b) Features of the registry

The Commission shall issue regulations, after providing the public with notice and an opportunity to comment, that—

(1) permit verified public safety answering point administrators or managers to register the telephone numbers of all 9–1–1 trunks and other lines used for the provision of emergency services to the public or for communications between public safety agencies;

(2) provide a process for verifying, no less frequently than once every 7 years, that registered numbers should continue to appear upon the registry;

(3) provide a process for granting and tracking access to the registry by the operators of automatic dialing equipment;

(4) protect the list of registered numbers from disclosure or dissemination by parties granted access to the registry; and

¹ See References in Text note below.