

taking of the First Responder Network Authority that was observed during the course of the audit, which, in the opinion of the independent auditor, has been carried on or made without the authority of law.

(Pub. L. 112-96, title VI, § 6209, Feb. 22, 2012, 126 Stat. 216.)

### § 1430. Annual report to Congress

#### (a) In general

Not later than 1 year after February 22, 2012, and each year thereafter, the First Responder Network Authority shall submit an annual report covering the preceding fiscal year to the appropriate committees of Congress.

#### (b) Required content

The report required under subsection (a) shall include—

- (1) a comprehensive and detailed report of the operations, activities, financial condition, and accomplishments of the First Responder Network Authority under this section; and
- (2) such recommendations or proposals for legislative or administrative action as the First Responder Network Authority deems appropriate.

#### (c) Availability to testify

The members of the Board and employees of the First Responder Network Authority shall be available to testify before the appropriate committees of the Congress with respect to—

- (1) the report required under subsection (a);
- (2) the report of any audit conducted under section 1429<sup>1</sup> of this title; or
- (3) any other matter which such committees may determine appropriate.

(Pub. L. 112-96, title VI, § 6210, Feb. 22, 2012, 126 Stat. 217.)

#### REFERENCES IN TEXT

Section 1429 of this title, referred to in subsec. (c)(2), was in the original a reference to section 6210 of Pub. L. 112-96, this section, and was translated as if it had been a reference to section 6209 of Pub. L. 112-96, which is classified to section 1429 of this title, to reflect the probable intent of Congress. Section 6210 does not relate to audits.

### § 1431. Public safety roaming and priority access

The Commission may adopt rules, if necessary in the public interest, to improve the ability of public safety networks to roam onto commercial networks and to gain priority access to commercial networks in an emergency if—

- (1) the public safety entity equipment is technically compatible with the commercial network;
- (2) the commercial network is reasonably compensated; and
- (3) such access does not preempt or otherwise terminate or degrade all existing voice conversations or data sessions.

(Pub. L. 112-96, title VI, § 6211, Feb. 22, 2012, 126 Stat. 218.)

<sup>1</sup> See References in Text note below.

### § 1432. Prohibition on direct offering of commercial telecommunications service directly to consumers

#### (a) In general

The First Responder Network Authority shall not offer, provide, or market commercial telecommunications or information services directly to consumers.

#### (b) Rule of construction

Nothing in this section shall be construed to prohibit the First Responder Network Authority and a secondary user from entering into a covered leasing agreement pursuant to section 1428(a)(2)(B) of this title. Nothing in this section shall be construed to limit the First Responder Network Authority from collecting lease fees related to network equipment and infrastructure pursuant to section 1428(a)(3) of this title.

(Pub. L. 112-96, title VI, § 6212, Feb. 22, 2012, 126 Stat. 218.)

### § 1433. Provision of technical assistance

The Commission may provide technical assistance to the First Responder Network Authority and may take any action necessary to assist the First Responder Network Authority in effectuating its duties and responsibilities under this subchapter.

(Pub. L. 112-96, title VI, § 6213, Feb. 22, 2012, 126 Stat. 218.)

## SUBCHAPTER III—PUBLIC SAFETY COMMITMENTS

### § 1441. State and Local Implementation Fund

#### (a) Establishment

There is established in the Treasury of the United States a fund to be known as the State and Local Implementation Fund.

#### (b) Amounts available for State and Local Implementation Grant Program

Any amounts borrowed under subsection (c)(1) and any amounts in the State and Local Implementation Fund that are not necessary to reimburse the general fund of the Treasury for such borrowed amounts shall be available to the Assistant Secretary to implement section 1442 of this title.

#### (c) Borrowing authority

##### (1) In general

Prior to the end of fiscal year 2022, the Assistant Secretary may borrow from the general fund of the Treasury such sums as may be necessary, but not to exceed \$135,000,000, to implement section 1442 of this title.

##### (2) Reimbursement

The Assistant Secretary shall reimburse the general fund of the Treasury, without interest, for any amounts borrowed under paragraph (1) as funds are deposited into the State and Local Implementation Fund.

#### (d) Transfer of unused funds

If there is a balance remaining in the State and Local Implementation Fund on September 30, 2022, the Secretary of the Treasury shall