

115TH CONGRESS  
2D SESSION

# H. R. 4986

To amend the Communications Act of 1934 to reauthorize appropriations for the Federal Communications Commission, to provide for certain procedural changes to the rules of the Commission to maximize opportunities for public participation and efficient decisionmaking, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2018

Mrs. BLACKBURN introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Communications Act of 1934 to reauthorize appropriations for the Federal Communications Commission, to provide for certain procedural changes to the rules of the Commission to maximize opportunities for public participation and efficient decisionmaking, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

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

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “FCC Reauthorization Act of 2018”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Commission defined.

TITLE I—FCC REAUTHORIZATION

Sec. 101. Authorization of appropriations.

Sec. 102. Application and regulatory fees.

Sec. 103. Effective date.

TITLE II—FCC PROCESS REFORM

Sec. 201. FCC process reform.

Sec. 202. Categorization of TCPA inquiries and complaints in quarterly report.

Sec. 203. Effect on other laws.

Sec. 204. Application of Antideficiency Act to Universal Service Program.

Sec. 205. Report on improving small business participation in FCC proceedings.

Sec. 206. Timely availability of items adopted by vote of the Commission.

TITLE III—AMATEUR RADIO PARITY

Sec. 301. Findings.

Sec. 302. Application of private land use restrictions to amateur stations.

Sec. 303. Affirmation of limited preemption of State and local land use regulation.

Sec. 304. Definitions.

TITLE IV—SECURING ACCESS TO NETWORKS IN DISASTERS

Sec. 401. Study on network resiliency.

Sec. 402. Access to essential service providers during federally declared emergencies.

Sec. 403. Definitions.

TITLE V—FCC CONSOLIDATED REPORTING

Sec. 501. Communications marketplace report.

Sec. 502. Consolidation of redundant reports; conforming amendments.

Sec. 503. Effect on authority.

Sec. 504. Other reports.

TITLE VI—ADDITIONAL PROVISIONS

Sec. 601. Independent Inspector General for FCC.

Sec. 602. Authority of Chief Information Officer.

Sec. 603. Ensuring the integrity of voice communications.

Sec. 604. Spoofing prevention.

- Sec. 605. Configuration of multi-line telephone systems for direct dialing of 9-1-1.
- Sec. 606. Report on promoting broadband Internet access service for veterans.
- Sec. 607. Methodology for collection of mobile service coverage data.
- Sec. 608. Accuracy of 9-1-1 call location information.
- Sec. 609. Interagency Communications Security Committee.

1 **SEC. 2. COMMISSION DEFINED.**

2 In this Act, the term “Commission” means the Fed-  
3 eral Communications Commission.

4 **TITLE I—FCC**  
5 **REAUTHORIZATION**

6 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) IN GENERAL.—Section 6 of the Communications  
8 Act of 1934 (47 U.S.C. 156) is amended to read as fol-  
9 lows:

10 **“SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

11 “(a) AUTHORIZATION.—There are authorized to be  
12 appropriated to the Commission to carry out the functions  
13 of the Commission \$322,035,000 for each of the fiscal  
14 years 2019 and 2020.

15 “(b) OFFSETTING COLLECTIONS.—

16 “(1) IN GENERAL.—The sum appropriated in  
17 any fiscal year to carry out the activities described  
18 in subsection (a), to the extent and in the amounts  
19 provided for in advance in appropriations Acts, shall  
20 be derived from fees authorized by section 9.

21 “(2) DEPOSIT OF COLLECTIONS.—Amounts re-  
22 ceived from fees authorized by section 9 shall be de-

1       posited as an offsetting collection in, and credited to,  
2       the account through which funds are made available  
3       to carry out the activities described in subsection  
4       (a).

5               “(3) DEPOSIT OF EXCESS COLLECTIONS.—Any  
6       fees collected in excess of the total amount of fees  
7       provided for in appropriations Acts for a fiscal year  
8       shall be deposited in the general fund of the Treas-  
9       ury of the United States for the sole purpose of def-  
10      icit reduction.”.

11      (b) DEPOSITS OF BIDDERS TO BE DEPOSITED IN  
12      TREASURY.—Section 309(j)(8)(C) of the Communications  
13      Act of 1934 (47 U.S.C. 309(j)(8)(C)) is amended—

14              (1) in the first sentence, by striking “an inter-  
15      est bearing account” and all that follows and insert-  
16      ing “the Treasury.”;

17              (2) in clause (i)—

18                      (A) by striking “paid to the Treasury” and  
19      inserting “deposited in the general fund of the  
20      Treasury (where such deposits shall be used for  
21      the sole purpose of deficit reduction)”; and

22                      (B) by striking the semicolon and inserting  
23      “; and”;

24              (3) in clause (ii), by striking “; and” and in-  
25      serting “, and payments representing the return of

1 such deposits shall not be subject to administrative  
2 offset under section 3716(c) of title 31, United  
3 States Code.”; and

4 (4) by striking clause (iii).

5 (c) ELIMINATION OF DUPLICATIVE AUTHORIZATION  
6 OF APPROPRIATIONS.—

7 (1) IN GENERAL.—Section 710 of the Tele-  
8 communications Act of 1996 (Public Law 104–104)  
9 is repealed.

10 (2) CONFORMING AMENDMENT.—The table of  
11 contents in section 2 of such Act is amended by  
12 striking the item relating to section 710.

13 (d) TRANSFER OF FUNDS.—On the effective date de-  
14 scribed in section 103, any amounts in the account pro-  
15 viding appropriations to carry out the functions of the  
16 Commission that were collected in excess of the amounts  
17 provided for in appropriations Acts in any fiscal year prior  
18 to such date shall be transferred to the general fund of  
19 the Treasury of the United States for the sole purpose  
20 of deficit reduction.

21 **SEC. 102. APPLICATION AND REGULATORY FEES.**

22 (a) IN GENERAL.—Section 9 of the Communications  
23 Act of 1934 (47 U.S.C. 159) is amended to read as fol-  
24 lows:

1 **“SEC. 9. APPLICATION AND REGULATORY FEES.**

2       “(a) GENERAL AUTHORITY.—The Commission shall  
3 assess and collect application fees and regulatory fees to  
4 recover the costs of carrying out the activities described  
5 in section 6(a) only to the extent and in the amounts pro-  
6 vided for in advance in appropriations Acts.

7       “(b) APPLICATION FEES.—

8               “(1) IN GENERAL.—The Commission shall as-  
9 sess and collect application fees at such rates as the  
10 Commission shall establish in a schedule of applica-  
11 tion fees to recover the costs of the Commission to  
12 process applications.

13               “(2) ADJUSTMENT OF SCHEDULE.—

14                       “(A) IN GENERAL.—In every even-num-  
15 bered year, the Commission shall review the  
16 schedule of application fees established under  
17 this subsection and, except as provided in sub-  
18 paragraph (B), set a new amount for each fee  
19 in the schedule that is equal to the amount of  
20 the fee on the date when the fee was established  
21 or the date when the fee was last amended  
22 under paragraph (3), whichever is later—

23                               “(i) increased or decreased by the per-  
24 centage change in the Consumer Price  
25 Index during the period beginning on such

1 date and ending on the date of the review;  
2 and

3 “(ii) rounded to the nearest \$5 incre-  
4 ment.

5 “(B) THRESHOLD FOR ADJUSTMENT.—  
6 The Commission may not adjust a fee under  
7 subparagraph (A) if—

8 “(i) in the case of a fee the current  
9 amount of which is less than \$200, the ad-  
10 justment would result in a change in the  
11 current amount of less than \$10; or

12 “(ii) in the case of a fee the current  
13 amount of which is \$200 or more, the ad-  
14 justment would result in a change in the  
15 current amount of less than 5 percent.

16 “(C) CURRENT AMOUNT DEFINED.—In  
17 subparagraph (B), the term ‘current amount’  
18 means, with respect to a fee, the amount of the  
19 fee on the date when the fee was established,  
20 the date when the fee was last adjusted under  
21 subparagraph (A), or the date when the fee was  
22 last amended under paragraph (3), whichever is  
23 latest.

24 “(3) AMENDMENTS.—In addition to the adjust-  
25 ments required by paragraph (2), the Commission

1 shall by rule amend the schedule of application fees  
2 established under this subsection if the Commission  
3 determines that the schedule requires amendment so  
4 that such fees reflect increases or decreases in the  
5 costs of processing applications at the Commission  
6 and the consolidation or addition of new categories  
7 of applications.

8 “(c) REGULATORY FEES.—

9 “(1) IN GENERAL.—The Commission shall as-  
10 sess and collect regulatory fees at such rates as the  
11 Commission shall establish in a schedule of regu-  
12 latory fees that will result in the collection, in each  
13 fiscal year, of an amount that can reasonably be ex-  
14 pected to equal the difference between—

15 “(A) the amounts described in subsection  
16 (a) with respect to such fiscal year; and

17 “(B) the amount of application fees rea-  
18 sonably expected to be collected in such fiscal  
19 year.

20 “(2) ADJUSTMENT OF SCHEDULE.—

21 “(A) IN GENERAL.—For each fiscal year,  
22 the Commission shall by rule adjust the sched-  
23 ule of regulatory fees established under this  
24 subsection to—



1           “(i) reflect unexpected increases or  
2           decreases in the number of units subject to  
3           the payment of such fees; and

4           “(ii) result in the collection of the  
5           amount required by paragraph (1).

6           “(B) ROUNDING.—In making adjustments  
7           under this paragraph, the Commission may  
8           round fees to the nearest \$5 increment.

9           “(3) AMENDMENTS.—In addition to the adjust-  
10          ments required by paragraph (2), the Commission  
11          shall by rule amend the schedule of regulatory fees  
12          established under this subsection if the Commission  
13          determines that the schedule requires amendment so  
14          that such fees reflect the full-time equivalent number  
15          of employees within the bureaus and offices of the  
16          Commission, adjusted to take into account factors  
17          that are reasonably related to the benefits provided  
18          to the payor of the fee by the Commission’s activi-  
19          ties. In making an amendment under this para-  
20          graph, the Commission may not change the total  
21          amount of regulatory fees required by paragraph (1)  
22          to be collected in a fiscal year.

23          “(d) JUDICIAL REVIEW PROHIBITED.—An adjust-  
24          ment or amendment to a schedule of fees under subsection  
25          (b) or (c) is not subject to judicial review.

1       “(e) NOTICE TO CONGRESS.—The Commission shall  
2 transmit to Congress notification—

3               “(1) of any adjustment under subsection (b)(2)  
4 or (c)(2) immediately upon the adoption of such ad-  
5 justment; and

6               “(2) of any amendment under subsection (b)(3)  
7 or (c)(3) not later than 90 days before the effective  
8 date of such amendment.

9       “(f) ENFORCEMENT.—

10              “(1) PENALTIES FOR LATE PAYMENT.—The  
11 Commission shall by rule prescribe a penalty for late  
12 payment of fees under this section. Such penalty  
13 shall be 25 percent of the amount of the fee that  
14 was not paid in a timely manner.

15              “(2) INTEREST ON UNPAID FEES AND PEN-  
16 ALTIES.—The Commission shall charge interest, at a  
17 rate determined under section 3717 of title 31,  
18 United States Code, on a fee or penalty under this  
19 section that is not paid in a timely manner. Such  
20 section 3717 shall not otherwise apply with respect  
21 to a fee or penalty under this section.

22              “(3) DISMISSAL OF APPLICATIONS OR FIL-  
23 INGS.—The Commission may dismiss any applica-  
24 tion or other filing for failure to pay in a timely

1 manner any fee, interest, or penalty under this sec-  
2 tion.

3 “(4) REVOCATIONS.—

4 “(A) IN GENERAL.—In addition to or in  
5 lieu of the penalties and dismissals authorized  
6 by paragraphs (1) and (3), the Commission  
7 may revoke any instrument of authorization  
8 held by any licensee that has not paid in a  
9 timely manner a regulatory fee assessed under  
10 this section or any related interest or penalty.

11 “(B) NOTICE.—Revocation action may be  
12 taken by the Commission under this paragraph  
13 after notice of the Commission’s intent to take  
14 such action is sent to the licensee by registered  
15 mail, return receipt requested, at the licensee’s  
16 last known address. The notice shall provide the  
17 licensee at least 30 days to either pay the fee,  
18 interest, and any penalty or show cause why the  
19 fee, interest, or penalty does not apply to the li-  
20 censee or should otherwise be waived or pay-  
21 ment deferred.

22 “(C) HEARING.—

23 “(i) GENERALLY NOT REQUIRED.—A  
24 hearing is not required under this para-  
25 graph unless the licensee’s response pre-

1           sents a substantial and material question  
2           of fact.

3           “(ii) EVIDENCE AND BURDENS.—In  
4           any case where a hearing is conducted  
5           under this paragraph, the hearing shall be  
6           based on written evidence only, and the  
7           burden of proceeding with the introduction  
8           of evidence and the burden of proof shall  
9           be on the licensee.

10          “(iii) COSTS.—Unless the licensee  
11          substantially prevails in the hearing, the  
12          Commission may assess the licensee for the  
13          costs of such hearing.

14          “(D) OPPORTUNITY TO PAY PRIOR TO  
15          REVOCAION.—Any Commission order adopted  
16          under this paragraph shall determine the  
17          amount due, if any, and provide the licensee  
18          with at least 30 days to pay that amount or  
19          have its authorization revoked.

20          “(E) FINALITY.—No order of revocation  
21          under this paragraph shall become final until  
22          the licensee has exhausted its right to judicial  
23          review of such order under section 402(b)(5).

24          “(g) WAIVER, REDUCTION, AND DEFERMENT.—The  
25          Commission may waive, reduce, or defer payment of a fee,

1 interest charge, or penalty in any specific instance for  
2 good cause shown, if such action would promote the public  
3 interest.

4 “(h) PAYMENT RULES.—The Commission shall by  
5 rule permit payment—

6 “(1) in the case of fees in large amounts, by in-  
7 stallments; and

8 “(2) in the case of fees in small amounts, in ad-  
9 vance for a number of years not to exceed the term  
10 of the license held by the payor.

11 “(i) EXCEPTIONS.—

12 “(1) PARTIES TO WHICH FEES ARE NOT APPLI-  
13 CABLE.—

14 “(A) APPLICATION FEES.—The application  
15 fees established under this section shall not be  
16 applicable to—

17 “(i) a governmental entity; or

18 “(ii) a nonprofit entity licensed in the  
19 Local Government, Police, Fire, Highway  
20 Maintenance, Forestry-Conservation, Pub-  
21 lic Safety, or Special Emergency Radio  
22 service.

23 “(B) REGULATORY FEES.—The regulatory  
24 fees established under this section shall not be  
25 applicable to—

1                   “(i) a governmental entity or non-  
2                   profit entity; or

3                   “(ii) an amateur radio operator li-  
4                   censee under part 97 of the Commission’s  
5                   rules (47 C.F.R. part 97).

6                   “(2) COST OF COLLECTION.—

7                   “(A) APPLICATION FEES.—If, in the judg-  
8                   ment of the Commission, the cost of collecting  
9                   an application fee established under this section  
10                  would exceed the amount collected, the Commis-  
11                  sion may by rule eliminate such fee.

12                  “(B) REGULATORY FEES.—If, in the judg-  
13                  ment of the Commission, the cost of collecting  
14                  a regulatory fee established under this section  
15                  from a party would exceed the amount collected  
16                  from such party, the Commission may exempt  
17                  such party from paying such fee.

18                  “(j) ACCOUNTING SYSTEM.—The Commission shall  
19                  develop accounting systems necessary to make the amend-  
20                  ments authorized by subsections (b)(3) and (c)(3).”.

21                  (b) CONFORMING AMENDMENTS.—The Communica-  
22                  tions Act of 1934 (47 U.S.C. 151 et seq.) is amended—

23                         (1) by repealing section 8; and

24                         (2) in section 309(j)(6)(H), by striking

25                         “charges imposed pursuant to section 8 of this Act”

1 and inserting “application fees assessed under sec-  
2 tion 9”.

3 (c) TRANSITIONAL RULES.—

4 (1) APPLICATION FEES.—An application fee es-  
5 tablished under section 8 of the Communications Act  
6 of 1934, as such section is in effect on the day be-  
7 fore the effective date described in section 103 of  
8 this Act, shall remain in effect under subsection (b)  
9 of section 9 of the Communications Act of 1934, as  
10 amended by subsection (a) of this section, until such  
11 time as the Commission adjusts or amends such fee  
12 under subsection (b)(2) or (b)(3) of such section 9,  
13 as so amended.

14 (2) REGULATORY FEES.—A regulatory fee es-  
15 tablished under section 9 of the Communications Act  
16 of 1934, as such section is in effect on the day be-  
17 fore the effective date described in section 103 of  
18 this Act, shall remain in effect under subsection (c)  
19 of section 9 of the Communications Act of 1934, as  
20 amended by subsection (a) of this section, until such  
21 time as the Commission adjusts or amends such fee  
22 under subsection (c)(2) or (c)(3) of such section 9,  
23 as so amended.

24 (d) RULEMAKING TO AMEND SCHEDULE OF REGU-  
25 LATORY FEES.—

1           (1) IN GENERAL.—Not later than 1 year after  
 2           the effective date described in section 103, the Com-  
 3           mission shall complete a rulemaking proceeding  
 4           under subsection (c)(3) of section 9 of the Commu-  
 5           nications Act of 1934, as amended by subsection (a)  
 6           of this section.

7           (2) REPORT TO CONGRESS.—If the Commission  
 8           has not completed the rulemaking proceeding re-  
 9           quired by paragraph (1) by the date that is 6  
 10          months after the effective date described in section  
 11          103, the Commission shall submit to Congress a re-  
 12          port on the progress of such rulemaking proceeding.

13 **SEC. 103. EFFECTIVE DATE.**

14          This title and the amendments made by this title  
 15          shall take effect on October 1, 2018.

16                           **TITLE II—FCC PROCESS**  
 17   **REFORM**

18 **SEC. 201. FCC PROCESS REFORM.**

19          (a) IN GENERAL.—Title I of the Communications Act  
 20          of 1934 (47 U.S.C. 151 et seq.) is amended by adding  
 21          at the end the following:

22 **“SEC. 13. TRANSPARENCY AND EFFICIENCY.**

23           “(a) INITIAL RULEMAKING AND INQUIRY.—

24                   “(1) RULEMAKING.—Not later than 1 year  
 25           after the date of the enactment of this section, the



1 Commission shall complete a rulemaking proceeding  
2 and adopt procedural changes to its rules to maxi-  
3 mize opportunities for public participation and effi-  
4 cient decisionmaking.

5 “(2) REQUIREMENTS FOR RULEMAKING.—The  
6 rules adopted under paragraph (1) shall—

7 “(A) set minimum comment periods for  
8 comment and reply comment, subject to a de-  
9 termination by the Commission that good cause  
10 exists for departing from such minimum com-  
11 ment periods, for—

12 “(i) significant regulatory actions, as  
13 defined in Executive Order No. 12866; and

14 “(ii) all other rulemaking proceedings;

15 “(B) establish policies concerning the sub-  
16 mission of extensive new comments, data, or re-  
17 ports towards the end of the comment period;

18 “(C) establish policies regarding treatment  
19 of comments, ex parte communications, and  
20 data or reports (including statistical reports  
21 and reports to Congress) submitted after the  
22 comment period to ensure that the public has  
23 adequate notice of and opportunity to respond  
24 to such submissions before the Commission re-

1 lies on such submissions in any order, decision,  
2 report, or action;

3 “(D) establish procedures for, not later  
4 than 14 days after the end of each quarter of  
5 a calendar year (or more frequently, as the  
6 Commission considers appropriate), publishing  
7 on the Internet website of the Commission and  
8 submitting to Congress a report that contains—

9 “(i) the status of open rulemaking  
10 proceedings and proposed orders, decisions,  
11 reports, or actions on circulation for review  
12 by the Commissioners, including which  
13 Commissioners have not cast a vote on an  
14 order, decision, report, or action that has  
15 been on circulation for more than 60 days;

16 “(ii) for the petitions, applications,  
17 complaints, and other requests for action  
18 by the Commission that were pending at  
19 the Commission on the last day of such  
20 quarter (or more frequent period, as the  
21 case may be)—

22 “(I) the number of such requests,  
23 broken down by the bureau primarily  
24 responsible for action and, for each  
25 bureau, the type of request (such as a

1 petition, application, or complaint);

2 and

3 “(II) information regarding the  
4 amount of time for which such re-  
5 quests have been pending, broken  
6 down as described in subclause (I);

7 and

8 “(iii) a list of the congressional inves-  
9 tigations of the Commission that were  
10 pending on the last day of such quarter (or  
11 more frequent period, as the case may be)  
12 and the cost of such investigations, individ-  
13 ually and in the aggregate;

14 “(E) establish deadlines (relative to the  
15 date of filing) for—

16 “(i) in the case of a petition for a de-  
17 claratory ruling under section 1.2 of title  
18 47, Code of Federal Regulations, issuing a  
19 public notice of such petition;

20 “(ii) in the case of a petition for rule-  
21 making under section 1.401 of such title,  
22 issuing a public notice of such petition;  
23 and

24 “(iii) in the case of a petition for re-  
25 consideration under section 1.106 or 1.429

1 of such title or an application for review  
2 under section 1.115 of such title, issuing a  
3 public notice of a decision on the petition  
4 or application by the Commission or under  
5 delegated authority (as the case may be);

6 “(F) establish guidelines (relative to the  
7 date of filing) for the disposition of petitions  
8 filed under section 1.2 of such title;

9 “(G) establish procedures for the inclusion  
10 of the specific language of the proposed rule or  
11 the proposed amendment of an existing rule in  
12 a notice of proposed rulemaking; and

13 “(H) require notices of proposed rule-  
14 making and orders adopting a rule or amending  
15 an existing rule that—

16 “(i) create (or propose to create) a  
17 program activity to contain performance  
18 measures for evaluating the effectiveness of  
19 the program activity; and

20 “(ii) substantially change (or propose  
21 to substantially change) a program activity  
22 to contain—

23 “(I) performance measures for  
24 evaluating the effectiveness of the pro-

1                   gram activity as changed (or proposed  
2                   to be changed); or

3                   “(II) a finding that existing per-  
4                   formance measures will effectively  
5                   evaluate the program activity as  
6                   changed (or proposed to be changed).

7                   “(3) INQUIRY.—Not later than 1 year after the  
8                   date of the enactment of this section, the Commis-  
9                   sion shall complete an inquiry to seek public com-  
10                  ment on whether and how the Commission should—

11                  “(A) establish procedures for allowing a bi-  
12                  partisan majority of Commissioners to place an  
13                  order, decision, report, or action on the agenda  
14                  of an open meeting;

15                  “(B) establish procedures for informing all  
16                  Commissioners of a reasonable number of op-  
17                  tions available to the Commission for resolving  
18                  a petition, complaint, application, rulemaking,  
19                  or other proceeding;

20                  “(C) establish procedures for ensuring that  
21                  all Commissioners have adequate time, prior to  
22                  being required to decide a petition, complaint,  
23                  application, rulemaking, or other proceeding  
24                  (including at a meeting held pursuant to section  
25                  5(d)), to review the proposed Commission deci-

1           sion document, including the specific language  
2           of any proposed rule or any proposed amend-  
3           ment of an existing rule;

4           “(D) establish procedures for publishing  
5           the text of agenda items to be voted on at an  
6           open meeting in advance of such meeting so  
7           that the public has the opportunity to read the  
8           text before a vote is taken;

9           “(E) establish deadlines (relative to the  
10          date of filing) for disposition of applications for  
11          a license under section 1.913 of title 47, Code  
12          of Federal Regulations;

13          “(F) assign resources needed in order to  
14          meet the deadlines described in subparagraph  
15          (E), including whether the Commission’s ability  
16          to meet such deadlines would be enhanced by  
17          assessing a fee from applicants for such a li-  
18          cense; and

19          “(G) except as otherwise provided in sec-  
20          tion 4(o), publish each order, decision, report,  
21          or action not later than 30 days after the date  
22          of the adoption of such order, decision, report,  
23          or action.

24          “(4) DATA FOR PERFORMANCE MEASURES.—

25          The Commission shall develop a performance meas-

1 ure or proposed performance measure required by  
2 this subsection to rely, where possible, on data al-  
3 ready collected by the Commission.

4 “(5) GAO AUDIT.—Not less frequently than  
5 every 6 months, the Comptroller General of the  
6 United States shall audit the cost estimates provided  
7 by the Commission under paragraph (2)(D)(iii) dur-  
8 ing the preceding 6-month period.

9 “(b) PERIODIC REVIEW.—On the date that is 5 years  
10 after the completion of the rulemaking proceeding under  
11 subsection (a)(1), and every 5 years thereafter, the Com-  
12 mission shall initiate a new rulemaking proceeding to con-  
13 tinue to consider such procedural changes to its rules as  
14 may be in the public interest to maximize opportunities  
15 for public participation and efficient decisionmaking.

16 “(c) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

17 “(1) IN GENERAL.—Notwithstanding section  
18 552b of title 5, United States Code, a bipartisan  
19 majority of Commissioners may hold a meeting that  
20 is closed to the public to discuss official business  
21 if—

22 “(A) a vote or any other agency action is  
23 not taken at such meeting;

24 “(B) each person present at such meeting  
25 is a Commissioner, an employee of the Commis-

1           sion, a member of a joint board or conference  
2           established under section 410, or a person on  
3           the staff of such a joint board or conference or  
4           of a member of such a joint board or con-  
5           ference; and

6                   “(C) an attorney from the Office of Gen-  
7           eral Counsel of the Commission is present at  
8           such meeting.

9           “(2) DISCLOSURE OF NONPUBLIC COLLABO-  
10          RATIVE DISCUSSIONS.—Not later than 2 business  
11          days after the conclusion of a meeting held under  
12          paragraph (1), the Commission shall publish a dis-  
13          closure of such meeting, including—

14                   “(A) a list of the persons who attended  
15          such meeting; and

16                   “(B) a summary of the matters discussed  
17          at such meeting, except for such matters as the  
18          Commission determines may be withheld under  
19          section 552b(c) of title 5, United States Code.

20           “(3) PRESERVATION OF OPEN MEETINGS RE-  
21          QUIREMENTS FOR AGENCY ACTION.—Nothing in this  
22          subsection shall limit the applicability of section  
23          552b of title 5, United States Code, with respect to  
24          a meeting of Commissioners other than that de-  
25          scribed in paragraph (1).



1           “(d) ACCESS TO CERTAIN INFORMATION ON COMMIS-  
2 SION’S WEBSITE.—The Commission shall provide direct  
3 access from the homepage of its website to—

4           “(1) detailed information regarding—

5                   “(A) the budget of the Commission for the  
6 current fiscal year;

7                   “(B) the appropriations for the Commis-  
8 sion for such fiscal year; and

9                   “(C) the total number of full-time equiva-  
10 lent employees of the Commission; and

11           “(2) the performance plan most recently made  
12 available by the Commission under section 1115(b)  
13 of title 31, United States Code.

14           “(e) INTERNET PUBLICATION OF CERTAIN FCC  
15 POLICIES AND PROCEDURES.—The chairman of the Com-  
16 mission shall—

17           “(1) publish on the Internet website of the  
18 Commission any policies or procedures of the Com-  
19 mission that—

20                   “(A) are established by the chairman; and

21                   “(B) relate to the functioning of the Com-  
22 mission or the handling of the agenda of the  
23 Commission; and

1           “(2) update such publication not later than 48  
2 hours after the chairman makes changes to any such  
3 policies or procedures.

4           “(f) FEDERAL REGISTER PUBLICATION.—

5           “(1) IN GENERAL.—In the case of any docu-  
6 ment adopted by the Commission that the Commis-  
7 sion is required, under any provision of law, to pub-  
8 lish in the Federal Register, the Commission shall,  
9 not later than the date described in paragraph (2),  
10 complete all Commission actions necessary for such  
11 document to be so published.

12           “(2) DATE DESCRIBED.—The date described in  
13 this paragraph is the earlier of—

14           “(A) the day that is 45 days after the date  
15 of the release of the document; or

16           “(B) the day by which such actions must  
17 be completed to comply with any deadline under  
18 any other provision of law.

19           “(3) NO EFFECT ON DEADLINES FOR PUBLICA-  
20 TION IN OTHER FORM.—In the case of a deadline  
21 that does not specify that the form of publication is  
22 publication in the Federal Register, the Commission  
23 may comply with such deadline by publishing the  
24 document in another form. Such other form of publi-  
25 cation does not relieve the Commission of any Fed-

1 eral Register publication requirement applicable to  
2 such document, including the requirement of para-  
3 graph (1).

4 “(g) CONSUMER COMPLAINT DATABASE.—

5 “(1) IN GENERAL.—In evaluating and proc-  
6 essing consumer complaints, the Commission shall  
7 present information about such complaints in a pub-  
8 licly available, searchable database on its website  
9 that—

10 “(A) facilitates easy use by consumers; and

11 “(B) to the extent practicable, is sortable  
12 and accessible by—

13 “(i) the date of the filing of the com-  
14 plaint;

15 “(ii) the topic of the complaint;

16 “(iii) the party complained of; and

17 “(iv) other elements that the Commis-  
18 sion considers in the public interest.

19 “(2) DUPLICATIVE COMPLAINTS.—In the case  
20 of multiple complaints arising from the same alleged  
21 misconduct, the Commission shall be required to in-  
22 clude only information concerning one such com-  
23 plaint in the database described in paragraph (1).

24 “(h) FORM OF PUBLICATION.—

1           “(1) IN GENERAL.—In complying with a re-  
2           quirement of this section to publish a document, the  
3           Commission shall publish such document on its  
4           website, in addition to publishing such document in  
5           any other form that the Commission is required to  
6           use or is permitted to and chooses to use.

7           “(2) EXCEPTION.—The Commission shall by  
8           rule establish procedures for redacting documents  
9           required to be published by this section so that the  
10          published versions of such documents do not con-  
11          tain—

12                   “(A) information the publication of which  
13                   would be detrimental to national security,  
14                   homeland security, law enforcement, or public  
15                   safety; or

16                   “(B) information that is proprietary or  
17                   confidential.

18          “(i) TRANSPARENCY RELATING TO PERFORMANCE IN  
19          MEETING FOIA REQUIREMENTS.—The Commission shall  
20          take additional steps to inform the public about its per-  
21          formance and efficiency in meeting the disclosure and  
22          other requirements of section 552 of title 5, United States  
23          Code (commonly referred to as the Freedom of Informa-  
24          tion Act), including by doing the following:

1           “(1) Publishing on the Commission’s website  
2 the Commission’s logs for tracking, responding to,  
3 and managing requests submitted under such sec-  
4 tion, including the Commission’s fee estimates, fee  
5 categories, and fee request determinations.

6           “(2) Releasing to the public all decisions made  
7 by the Commission (including decisions made by the  
8 Commission’s Bureaus and Offices) granting or de-  
9 nying requests filed under such section, including  
10 any such decisions pertaining to the estimate and  
11 application of fees assessed under such section.

12           “(3) Publishing on the Commission’s website  
13 electronic copies of documents released under such  
14 section.

15           “(4) Presenting information about the Commis-  
16 sion’s handling of requests under such section in the  
17 Commission’s annual budget estimates submitted to  
18 Congress and the Commission’s annual performance  
19 and financial reports. Such information shall include  
20 the number of requests under such section the Com-  
21 mission received in the most recent fiscal year, the  
22 number of such requests granted and denied, a com-  
23 parison of the Commission’s processing of such re-  
24 quests over at least the previous 3 fiscal years, and  
25 a comparison of the Commission’s results with the

1 most recent average for the United States Govern-  
2 ment as published on [www.foia.gov](http://www.foia.gov).

3 “(j) PROMPT RELEASE OF STATISTICAL REPORTS  
4 AND REPORTS TO CONGRESS.—Not later than January  
5 15th of each year, the Commission shall identify, catalog,  
6 and publish an anticipated release schedule for all statis-  
7 tical reports and reports to Congress that are regularly  
8 or intermittently released by the Commission and will be  
9 released during such year.

10 “(k) ANNUAL SCORECARD REPORTS.—

11 “(1) IN GENERAL.—For the 1-year period be-  
12 ginning on January 1st of each year, the Commis-  
13 sion shall prepare a report on the performance of  
14 the Commission in conducting its proceedings and  
15 meeting the deadlines established under subsection  
16 (a)(2)(E) and the guidelines established under sub-  
17 section (a)(2)(F).

18 “(2) CONTENTS.—Each report required by  
19 paragraph (1) shall contain detailed statistics on  
20 such performance, including, with respect to each  
21 Bureau of the Commission—

22 “(A) with respect to each type of filing  
23 specified in subsection (a)(2)(E) or (a)(2)(F)—

1           “(i) the number of filings that were  
2 pending on the last day of the period cov-  
3 ered by such report;

4           “(ii) the number of filings described  
5 in clause (i) for which each applicable  
6 deadline or guideline established under  
7 such subsection was not met and the aver-  
8 age length of time such filings have been  
9 pending; and

10           “(iii) for filings that were resolved  
11 during such period, the average time be-  
12 tween initiation and resolution and the  
13 percentage for which each applicable dead-  
14 line or guideline established under such  
15 subsection was met;

16           “(B) with respect to proceedings before an  
17 administrative law judge—

18           “(i) the number of such proceedings  
19 completed during such period; and

20           “(ii) the number of such proceedings  
21 pending on the last day of such period; and

22           “(C) the number of independent studies or  
23 analyses published by the Commission during  
24 such period.

1           “(3) PUBLICATION AND SUBMISSION.—The  
2 Commission shall publish and submit to the Com-  
3 mittee on Energy and Commerce of the House of  
4 Representatives and the Committee on Commerce,  
5 Science, and Transportation of the Senate each re-  
6 port required by paragraph (1) not later than the  
7 date that is 30 days after the last day of the period  
8 covered by such report.

9           “(1) DEFINITIONS.—In this section:

10           “(1) AMENDMENT.—The term ‘amendment’ in-  
11 cludes, when used with respect to an existing rule,  
12 the deletion of such rule.

13           “(2) BIPARTISAN MAJORITY.—The term ‘bipar-  
14 tisan majority’ means, when used with respect to a  
15 group of Commissioners, that such group—

16           “(A) is a group of three or more Commis-  
17 sioners; and

18           “(B) includes, for each political party of  
19 which any Commissioner is a member, at least  
20 one Commissioner who is a member of such po-  
21 litical party, and, if any Commissioner has no  
22 political party affiliation, at least one unaffili-  
23 ated Commissioner.

24           “(3) PERFORMANCE MEASURE.—The term ‘per-  
25 formance measure’ means an objective and quantifi-



1       able outcome measure or output measure (as such  
2       terms are defined in section 1115 of title 31, United  
3       States Code).

4               “(4) PROGRAM ACTIVITY.—The term ‘program  
5       activity’ has the meaning given such term in section  
6       1115 of title 31, United States Code, except that  
7       such term also includes any annual collection or dis-  
8       tribution or related series of collections or distribu-  
9       tions by the Commission of an amount that is great-  
10      er than or equal to \$100,000,000.

11              “(5) OTHER DEFINITIONS.—The terms ‘agency  
12      action’, ‘ex parte communication’, and ‘rule’ have  
13      the meanings given such terms in section 551 of title  
14      5, United States Code.”.

15      (b) EFFECTIVE DATES AND IMPLEMENTING  
16 RULES.—

17              (1) EFFECTIVE DATES.—

18                      (A) NONPUBLIC COLLABORATIVE DISCUS-  
19              SIONS.—Subsection (c) of section 13 of the  
20              Communications Act of 1934, as added by sub-  
21              section (a), shall apply beginning on the first  
22              date on which all of the procedural changes to  
23              the rules of the Commission required by sub-  
24              section (a)(1) of such section have taken effect.

1 (B) REPORT RELEASE SCHEDULES.—Sub-  
2 section (j) of such section 13 shall apply with  
3 respect to 2018 and any year thereafter.

4 (C) ANNUAL SCORECARD REPORTS.—Sub-  
5 section (k) of such section 13 shall apply with  
6 respect to 2017 and any year thereafter.

7 (D) INTERNET PUBLICATION OF CERTAIN  
8 FCC POLICIES AND PROCEDURES.—Subsection  
9 (e) of such section 13 shall apply beginning on  
10 the date that is 30 days after the date of the  
11 enactment of this Act.

12 (2) RULES.—Except as otherwise provided in  
13 such section 13, the Commission shall promulgate  
14 any rules necessary to carry out such section not  
15 later than 1 year after the date of the enactment of  
16 this Act.

17 **SEC. 202. CATEGORIZATION OF TCPA INQUIRIES AND COM-**  
18 **PLAINTS IN QUARTERLY REPORT.**

19 In compiling its quarterly report with respect to in-  
20 formal consumer inquiries and complaints, the Commis-  
21 sion may not categorize an inquiry or complaint with re-  
22 spect to section 227 of the Communications Act of 1934  
23 (47 U.S.C. 227) as being a wireline inquiry or complaint  
24 or a wireless inquiry or complaint unless the party whose

1 conduct is the subject of the inquiry or complaint is a  
2 wireline carrier or a wireless carrier, respectively.

3 **SEC. 203. EFFECT ON OTHER LAWS.**

4 Nothing in this title or the amendments made by this  
5 title shall relieve the Commission from any obligations  
6 under title 5, United States Code, except where otherwise  
7 expressly provided.

8 **SEC. 204. APPLICATION OF ANTIDEFICIENCY ACT TO UNI-**  
9 **VERSAL SERVICE PROGRAM.**

10 Section 302 of Public Law 108–494 (118 Stat. 3998)  
11 is amended by striking “December 31, 2018” each place  
12 it appears and inserting “December 31, 2021”.

13 **SEC. 205. REPORT ON IMPROVING SMALL BUSINESS PAR-**  
14 **TICIPATION IN FCC PROCEEDINGS.**

15 Not later than 1 year after the date of the enactment  
16 of this Act, the Commission, in consultation with the Ad-  
17 ministrator of the Small Business Administration, shall  
18 submit to Congress a report on—

19 (1) actions that the Commission will take to im-  
20 prove the participation of small businesses in the  
21 proceedings of the Commission; and

22 (2) recommendations for any legislation that  
23 the Commission considers appropriate to improve  
24 such participation.

1 **SEC. 206. TIMELY AVAILABILITY OF ITEMS ADOPTED BY**  
2 **VOTE OF THE COMMISSION.**

3 (a) AMENDMENT.—Section 4 of the Communications  
4 Act of 1934 (47 U.S.C. 154) is amended by adding at  
5 the end the following:

6 “(o) In the case of any item that is adopted by vote  
7 of the Commission, the Commission shall publish on the  
8 Internet website of the Commission the text of such item  
9 not later than 24 hours after the Secretary of the Commis-  
10 sion has received dissenting statements from all Commis-  
11 sioners wishing to submit such a statement with respect  
12 to such item.”.

13 (b) EFFECTIVE DATE.—The amendment made by  
14 this section shall apply with respect to an item that is  
15 adopted after the date that is 30 days after the date of  
16 the enactment of this Act.

17 **TITLE III—AMATEUR RADIO**  
18 **PARITY**

19 **SEC. 301. FINDINGS.**

20 Congress finds the following:

21 (1) More than 730,000 radio amateurs in the  
22 United States are licensed by the Commission in the  
23 amateur radio services.

24 (2) Amateur radio, at no cost to taxpayers, pro-  
25 vides a fertile ground for technical self-training in  
26 modern telecommunications, electronics technology,

1 and emergency communications techniques and pro-  
2 tocols.

3 (3) There is a strong Federal interest in the ef-  
4 fective performance of amateur stations established  
5 at the residences of licensees. Such stations have  
6 been shown to be frequently and increasingly pre-  
7 cluded by unreasonable private land use restrictions,  
8 including restrictive covenants.

9 (4) Commission regulations have for three dec-  
10 ades prohibited the application to stations in the  
11 amateur service of State and local regulations that  
12 preclude or fail to reasonably accommodate amateur  
13 service communications, or that do not constitute  
14 the minimum practicable regulation to accomplish a  
15 legitimate State or local purpose. Commission policy  
16 has been and is to require States and localities to  
17 permit erection of a station antenna structure at  
18 heights and dimensions sufficient to accommodate  
19 amateur service communications.

20 (5) The Commission has sought guidance and  
21 direction from Congress with respect to the applica-  
22 tion of the Commission's limited preemption policy  
23 regarding amateur service communications to private  
24 land use restrictions, including restrictive covenants.

1           (6) There are aesthetic and common property  
2           considerations that are uniquely applicable to private  
3           land use regulations and the community associations  
4           obligated to enforce covenants, conditions, and re-  
5           strictions in deed-restricted communities. These con-  
6           siderations are dissimilar to those applicable to State  
7           law and local ordinances regulating the same resi-  
8           dential amateur radio facilities.

9           (7) In recognition of these considerations, a  
10          separate Federal policy than exists at section  
11          97.15(b) of title 47, Code of Federal Regulations, is  
12          warranted concerning amateur service communica-  
13          tions in deed-restricted communities.

14          (8) Community associations should fairly ad-  
15          minister private land use regulations in the interest  
16          of their communities, while nevertheless permitting  
17          the installation and maintenance of effective outdoor  
18          amateur radio antennas. There exist antenna de-  
19          signs and installations that can be consistent with  
20          the aesthetics and physical characteristics of land  
21          and structures in community associations while ac-  
22          commodating communications in the amateur radio  
23          services.

1 **SEC. 302. APPLICATION OF PRIVATE LAND USE RESTRIC-**  
2 **TIONS TO AMATEUR STATIONS.**

3 (a) AMENDMENT OF FCC RULES.—Not later than  
4 120 days after the date of the enactment of this Act, the  
5 Commission shall amend section 97.15 of title 47, Code  
6 of Federal Regulations, by adding a new paragraph that  
7 prohibits the application to amateur stations of any pri-  
8 vate land use restriction, including a restrictive covenant,  
9 that—

10 (1) on its face or as applied, precludes commu-  
11 nications in an amateur radio service;

12 (2) fails to permit a licensee in an amateur  
13 radio service to install and maintain an effective out-  
14 door antenna on property under the exclusive use or  
15 control of the licensee; or

16 (3) does not constitute the minimum practicable  
17 restriction on such communications to accomplish  
18 the lawful purposes of a community association seek-  
19 ing to enforce such restriction.

20 (b) ADDITIONAL REQUIREMENTS.—In amending its  
21 rules as required by subsection (a), the Commission  
22 shall—

23 (1) require any licensee in an amateur radio  
24 service to notify and obtain prior approval from a  
25 community association concerning installation of an  
26 outdoor antenna;

1           (2) permit a community association to prohibit  
2 installation of any antenna or antenna support  
3 structure by a licensee in an amateur radio service  
4 on common property not under the exclusive use or  
5 control of the licensee; and

6           (3) subject to the standards specified in para-  
7 graphs (1) and (2) of subsection (a), permit a com-  
8 munity association to establish reasonable written  
9 rules concerning height, location, size, and aesthetic  
10 impact of, and installation requirements for, outdoor  
11 antennas and support structures for the purpose of  
12 conducting communications in the amateur radio  
13 services.

14 **SEC. 303. AFFIRMATION OF LIMITED PREEMPTION OF**  
15 **STATE AND LOCAL LAND USE REGULATION.**

16           The Commission may not change section 97.15(b) of  
17 title 47, Code of Federal Regulations, which shall remain  
18 applicable to State and local land use regulation of ama-  
19 teur service communications.

20 **SEC. 304. DEFINITIONS.**

21           In this title:

22           (1) **COMMUNITY ASSOCIATION.**—The term  
23 “community association” means any nonprofit man-  
24 datory membership organization composed of owners  
25 of real estate described in a declaration of covenants



1 or created pursuant to a covenant or other applica-  
2 ble law with respect to which a person, by virtue of  
3 the person’s ownership of or interest in a unit or  
4 parcel, is obligated to pay for a share of real estate  
5 taxes, insurance premiums, maintenance, improve-  
6 ment, services, or other expenses related to common  
7 elements, other units, or any other real estate other  
8 than the unit or parcel described in the declaration.

9 (2) TERMS DEFINED IN REGULATIONS.—The  
10 terms “amateur radio services”, “amateur service”,  
11 and “amateur station” have the meanings given  
12 such terms in section 97.3 of title 47, Code of Fed-  
13 eral Regulations.

## 14 **TITLE IV—SECURING ACCESS TO** 15 **NETWORKS IN DISASTERS**

### 16 **SEC. 401. STUDY ON NETWORK RESILIENCY.**

17 Not later than 36 months after the date of enactment  
18 of this Act, the Commission shall submit to Congress, and  
19 make publicly available on the Commission’s website, a  
20 study on the public safety benefits and technical feasibility  
21 and cost of—

22 (1) making telecommunications service pro-  
23 vider-owned WiFi access points, and other commu-  
24 nications technologies operating on unlicensed spec-  
25 trum, available to the general public for access to 9–

1 1–1 services, without requiring any login credentials,  
2 during times of emergency when mobile service is  
3 unavailable;

4 (2) the provision by non-telecommunications  
5 service provider-owned WiFi access points of public  
6 access to 9–1–1 services during times of emergency  
7 when mobile service is unavailable; and

8 (3) other alternative means of providing the  
9 public with access to 9–1–1 services during times of  
10 emergency when mobile service is unavailable.

11 **SEC. 402. ACCESS TO ESSENTIAL SERVICE PROVIDERS DUR-**  
12 **ING FEDERALLY DECLARED EMERGENCIES.**

13 Section 427(a)(1)(A) of the Robert T. Stafford Dis-  
14 aster Relief and Emergency Assistance Act (42 U.S.C.  
15 5189e(a)(1)(A)) is amended by striking “telecommuni-  
16 cations service” and inserting “wireline or mobile tele-  
17 phone service, Internet access service, radio or television  
18 broadcasting, cable service, or direct broadcast satellite  
19 service”.

20 **SEC. 403. DEFINITIONS.**

21 As used in this title—

22 (1) the term “mobile service” means commer-  
23 cial mobile service (as defined in section 332 of the  
24 Communications Act of 1934 (47 U.S.C. 332)) or  
25 commercial mobile data service (as defined in section

1 6001 of the Middle Class Tax Relief and Job Cre-  
2 ation Act of 2012 (47 U.S.C. 1401));

3 (2) the term “WiFi access point” means wire-  
4 less Internet access using the standard designated as  
5 802.11 or any variant thereof; and

6 (3) the term “times of emergency” means ei-  
7 ther an emergency as defined in section 102 of the  
8 Robert T. Stafford Disaster Relief and Emergency  
9 Assistance Act (42 U.S.C. 5122), or an emergency  
10 as declared by the governor of a State or territory  
11 of the United States.

## 12 **TITLE V—FCC CONSOLIDATED** 13 **REPORTING**

### 14 **SEC. 501. COMMUNICATIONS MARKETPLACE REPORT.**

15 Title I of the Communications Act of 1934, as  
16 amended by section 201(a), is further amended by adding  
17 at the end the following:

#### 18 **“SEC. 14. COMMUNICATIONS MARKETPLACE REPORT.**

19 “(a) IN GENERAL.—In the last quarter of every even-  
20 numbered year, the Commission shall publish on its  
21 website and submit to the Committee on Energy and Com-  
22 merce of the House of Representatives and the Committee  
23 on Commerce, Science, and Transportation of the Senate  
24 a report on the state of the communications marketplace.

1       “(b) CONTENTS.—Each report required by sub-  
2 section (a) shall—

3               “(1) assess the state of competition in the com-  
4 munications marketplace, including competition to  
5 deliver voice, video, audio, and data services among  
6 providers of telecommunications, providers of com-  
7 mercial mobile service (as defined in section 332),  
8 multichannel video programming distributors (as de-  
9 fined in section 602), broadcast stations, providers  
10 of satellite communications, Internet service pro-  
11 viders, and other providers of communications serv-  
12 ices;

13               “(2) assess the state of deployment of commu-  
14 nications capabilities, including advanced tele-  
15 communications capability (as defined in section 706  
16 of the Telecommunications Act of 1996 (47 U.S.C.  
17 1302)), regardless of the technology used for such  
18 deployment, including whether advanced tele-  
19 communications capability is being deployed to all  
20 Americans in a reasonable and timely fashion;

21               “(3) assess whether laws, regulations, or regu-  
22 latory practices (whether those of the Federal Gov-  
23 ernment, States, political subdivisions of States, In-  
24 dian tribes or tribal organizations (as such terms are  
25 defined in section 4 of the Indian Self-Determination

1 and Education Assistance Act (25 U.S.C. 5304)), or  
2 foreign governments) pose a barrier to competitive  
3 entry into the communications marketplace or to the  
4 competitive expansion of existing providers of com-  
5 munications services;

6 “(4) describe the agenda of the Commission for  
7 the next 2-year period for addressing the challenges  
8 and opportunities in the communications market-  
9 place that were identified through the assessments  
10 under paragraphs (1) through (3); and

11 “(5) describe the actions that the Commission  
12 has taken in pursuit of the agenda described pursu-  
13 ant to paragraph (4) in the previous report sub-  
14 mitted under this section.

15 “(c) EXTENSION.—If the President designates a  
16 Commissioner as Chairman of the Commission during the  
17 last quarter of an even-numbered year, the portion of the  
18 report required by subsection (b)(4) may be published on  
19 the website of the Commission and submitted to the Com-  
20 mittee on Energy and Commerce of the House of Rep-  
21 resentatives and the Committee on Commerce, Science,  
22 and Transportation of the Senate as an addendum during  
23 the first quarter of the following odd-numbered year.

24 “(d) SPECIAL REQUIREMENTS.—

1           “(1) ASSESSING COMPETITION.—In assessing  
2           the state of competition under subsection (b)(1), the  
3           Commission shall consider all forms of competition,  
4           including the effect of intermodal competition, facili-  
5           ties-based competition, and competition from new  
6           and emergent communications services, including the  
7           provision of content and communications using the  
8           Internet.

9           “(2) ASSESSING DEPLOYMENT.—In assessing  
10          the state of deployment under subsection (b)(2), the  
11          Commission shall compile a list of geographical  
12          areas that are not served by any provider of ad-  
13          vanced telecommunications capability.

14          “(3) INTERNATIONAL COMPARISONS AND DEMO-  
15          GRAPHIC INFORMATION.—The Commission may use  
16          readily available data to draw appropriate compari-  
17          sons between the United States communications  
18          marketplace and the international communications  
19          marketplace and to correlate its assessments with  
20          demographic information.

21          “(4) CONSIDERING SMALL BUSINESSES.—In as-  
22          sessing the state of competition under subsection  
23          (b)(1) and regulatory barriers under subsection  
24          (b)(3), the Commission shall consider market entry  
25          barriers for entrepreneurs and other small busi-

1 nesses in the communications marketplace in accord-  
2 ance with the national policy under section 257(b).

3 “(5) CONSIDERING CABLE RATES.—In assess-  
4 ing the state of competition under subsection (b)(1),  
5 the Commission shall include in each report required  
6 by subsection (a) the aggregate average total  
7 amount paid by cable systems in compensation  
8 under section 325 during the period covered by such  
9 report.”.

10 **SEC. 502. CONSOLIDATION OF REDUNDANT REPORTS; CON-**  
11 **FORMING AMENDMENTS.**

12 (a) ORBIT ACT REPORT.—Section 646 of the Com-  
13 munications Satellite Act of 1962 (47 U.S.C. 765e; 114  
14 Stat. 57) is repealed.

15 (b) SATELLITE COMPETITION REPORT.—Section 4 of  
16 Public Law 109–34 (47 U.S.C. 703) is repealed.

17 (c) INTERNATIONAL BROADBAND DATA REPORT.—  
18 Section 103 of the Broadband Data Improvement Act (47  
19 U.S.C. 1303) is amended—

20 (1) by striking subsection (b); and

21 (2) by redesignating subsections (c) through (e)  
22 as subsections (b) through (d), respectively.

23 (d) STATUS OF COMPETITION IN THE MARKET FOR  
24 THE DELIVERY OF VIDEO PROGRAMMING REPORT.—Sec-

1 tion 628 of the Communications Act of 1934 (47 U.S.C.  
2 548) is amended—

3 (1) by striking subsection (g);

4 (2) by redesignating subsection (j) as sub-  
5 section (g); and

6 (3) by transferring subsection (g) (as redesign-  
7 nated) so that it appears after subsection (f).

8 (e) REPORT ON CABLE INDUSTRY PRICES.—

9 (1) IN GENERAL.—Section 623 of the Commu-  
10 nications Act of 1934 (47 U.S.C. 543) is amended—

11 (A) by striking subsection (k); and

12 (B) by redesignating subsections (l)  
13 through (o) as subsections (k) through (n), re-  
14 spectively.

15 (2) CONFORMING AMENDMENT.—Section  
16 613(a)(3) of the Communications Act of 1934 (47  
17 U.S.C. 533(a)(3)) is amended by striking “623(l)”  
18 and inserting “623(k)”.

19 (f) TRIENNIAL REPORT IDENTIFYING AND ELIMI-  
20 NATING MARKET ENTRY BARRIERS FOR ENTRE-  
21 PRENEURS AND OTHER SMALL BUSINESSES.—Section  
22 257 of the Communications Act of 1934 (47 U.S.C. 257)  
23 is amended by striking subsection (e).



1 (g) SECTION 706 REPORT.—Section 706 of the Tele-  
2 communications Act of 1996 (47 U.S.C. 1302) is amend-  
3 ed—

4 (1) by amending subsection (b) to read as fol-  
5 lows:

6 “(b) DETERMINATION.—If the Commission deter-  
7 mines in its report under section 14 of the Communica-  
8 tions Act of 1934, after considering the availability of ad-  
9 vanced telecommunications capability to all Americans (in-  
10 cluding, in particular, elementary and secondary schools  
11 and classrooms), that advanced telecommunications capa-  
12 bility is not being deployed to all Americans in a reason-  
13 able and timely fashion, the Commission shall take imme-  
14 diate action to accelerate deployment of such capability  
15 by removing barriers to infrastructure investment and by  
16 promoting competition in the telecommunications mar-  
17 ket.”;

18 (2) by striking subsection (e);

19 (3) in subsection (d), by striking “this sub-  
20 section” and inserting “this section”; and

21 (4) by redesignating subsection (d) as sub-  
22 section (c).

23 (h) STATE OF COMPETITIVE MARKET CONDITIONS  
24 WITH RESPECT TO COMMERCIAL MOBILE RADIO SERV-  
25 ICES.—Section 332(c)(1)(C) of the Communications Act

1 of 1934 (47 U.S.C. 332(c)(1)(C)) is amended by striking  
2 the first and second sentences.

3 (i) PREVIOUSLY ELIMINATED ANNUAL REPORT.—

4 (1) IN GENERAL.—Section 4 of the Commu-  
5 nications Act of 1934 (47 U.S.C. 154) is amended—

6 (A) by striking subsection (k);

7 (B) by redesignating subsections (l)  
8 through (n) as subsections (k) through (m), re-  
9 spectively; and

10 (C) by redesignating the first subsection  
11 (o) (relating to use of radio and wire commu-  
12 nications in connection with safety of life and  
13 property) as subsection (n).

14 (2) CONFORMING AMENDMENT.—Section  
15 309(j)(8)(B) of the Communications Act of 1934  
16 (47 U.S.C. 309(j)(8)(B)) is amended by striking the  
17 last sentence.

18 (j) ADDITIONAL OUTDATED REPORTS.—The Com-  
19 munications Act of 1934 is further amended—

20 (1) in section 4—

21 (A) in subsection (b)(2)(B)(ii), by striking  
22 “and shall furnish notice of such action” and  
23 all that follows through “subject of the waiver”;  
24 and

1 (B) in subsection (g), by striking para-  
2 graph (2);

3 (2) in section 215—

4 (A) by striking subsection (b); and

5 (B) by redesignating subsection (c) as sub-  
6 section (b);

7 (3) in section 227(e), by striking paragraph (4);

8 (4) in section 309(j)—

9 (A) by striking paragraph (12); and

10 (B) in paragraph (15)(C), by striking  
11 clause (iv);

12 (5) in section 331(b), by striking the last sen-  
13 tence;

14 (6) in section 336(e), by amending paragraph  
15 (4) to read as follows:

16 “(4) REPORT.—The Commission shall annually  
17 advise the Congress on the amounts collected pursu-  
18 ant to the program required by this subsection.”;

19 (7) in section 339(c), by striking paragraph (1);

20 (8) in section 396—

21 (A) by striking subsection (i);

22 (B) in subsection (k)—

23 (i) in paragraph (1), by striking sub-  
24 paragraph (F); and

1 (ii) in paragraph (3)(B)(iii), by strik-  
2 ing subclause (V);

3 (C) in subsection (l)(1)(B), by striking  
4 “shall be included” and all that follows through  
5 “The audit report”; and

6 (D) by striking subsection (m);

7 (9) in section 398(b)(4), by striking the third  
8 sentence;

9 (10) in section 624A(b)(1)—

10 (A) by striking “REPORT; REGULATIONS”  
11 and inserting “REGULATIONS”;

12 (B) by striking “Within 1 year after” and  
13 all that follows through “on means of assuring”  
14 and inserting “The Commission shall issue such  
15 regulations as are necessary to assure”; and

16 (C) by striking “Within 180 days after”  
17 and all that follows through “to assure such  
18 compatibility.”; and

19 (11) in section 713, by striking subsection (a).

20 **SEC. 503. EFFECT ON AUTHORITY.**

21 Nothing in this title or the amendments made by this  
22 title shall be construed to expand or contract the authority  
23 of the Commission.

1 **SEC. 504. OTHER REPORTS.**

2 Nothing in this title or the amendments made by this  
3 title shall be construed to prohibit or otherwise prevent  
4 the Commission from producing any additional reports  
5 otherwise within the authority of the Commission.

6 **TITLE VI—ADDITIONAL**  
7 **PROVISIONS**

8 **SEC. 601. INDEPENDENT INSPECTOR GENERAL FOR FCC.**

9 (a) AMENDMENTS.—The Inspector General Act of  
10 1978 (5 U.S.C. App.) is amended—

11 (1) in section 8G(a)(2), by striking “the Fed-  
12 eral Communications Commission,”; and

13 (2) in section 12—

14 (A) in paragraph (1), by inserting “, the  
15 Federal Communications Commission,” after  
16 “the Chairman of the Nuclear Regulatory Com-  
17 mission”; and

18 (B) in paragraph (2), by inserting “the  
19 Federal Communications Commission,” after  
20 “the Environmental Protection Agency,”.

21 (b) TRANSITION RULE.—An individual serving as In-  
22 spector General of the Commission on the date of the en-  
23 actment of this Act pursuant to an appointment made  
24 under section 8G of the Inspector General Act of 1978  
25 (5 U.S.C. App.)—

1           (1) may continue so serving until the President  
2           makes an appointment under section 3(a) of such  
3           Act with respect to the Commission consistent with  
4           the amendments made by subsection (a); and

5           (2) shall, while serving under paragraph (1), re-  
6           main subject to the provisions of section 8G of such  
7           Act which, immediately before the date of the enact-  
8           ment of this Act, applied with respect to the Inspec-  
9           tor General of the Commission and suffer no reduc-  
10          tion in pay.

11 **SEC. 602. AUTHORITY OF CHIEF INFORMATION OFFICER.**

12          (a) IN GENERAL.—The Commission shall ensure that  
13          the Chief Information Officer of the Commission has a  
14          significant role in—

15                (1) the decision-making process for annual and  
16                multi-year planning, programming, budgeting, and  
17                execution decisions, related reporting requirements,  
18                and reports related to information technology;

19                (2) the management, governance, and oversight  
20                processes related to information technology; and

21                (3) the hiring of personnel with information  
22                technology responsibilities.

23          (b) CIO APPROVAL.—The Chief Information Officer  
24          of the Commission, in consultation with the Chief Finan-  
25          cial Officer of the Commission and budget officials, shall

1 specify and approve the allocation of amounts appro-  
2 priated to the Commission for information technology,  
3 consistent with the provisions of appropriations Acts,  
4 budget guidelines, and recommendations from the Direc-  
5 tor of the Office of Management and Budget.

6 **SEC. 603. ENSURING THE INTEGRITY OF VOICE COMMU-**  
7 **NICATIONS.**

8 Part II of title II of the Communications Act of 1934  
9 (47 U.S.C. 251 et seq.) is amended by adding at the end  
10 the following:

11 **“SEC. 262. ENSURING THE INTEGRITY OF VOICE COMMU-**  
12 **NICATIONS.**

13 “(a) REGISTRATION AND COMPLIANCE BY INTER-  
14 MEDIATE PROVIDERS.—An intermediate provider that of-  
15 fers or holds itself out as offering the capability to trans-  
16 mit covered voice communications from one destination to  
17 another and that charges any rate to any other entity (in-  
18 cluding an affiliated entity) for the transmission shall—

19 “(1) register with the Commission; and

20 “(2) comply with the service quality standards  
21 for such transmission to be established by the Com-  
22 mission under subsection (c)(1)(B).

23 “(b) REQUIRED USE OF REGISTERED INTER-  
24 MEDIATE PROVIDERS.—A covered provider may not use  
25 an intermediate provider to transmit covered voice com-

1 munications unless such intermediate provider is reg-  
2 istered under subsection (a)(1).

3 “(c) COMMISSION RULES.—

4 “(1) IN GENERAL.—

5 “(A) REGISTRY.—Not later than 180 days  
6 after the date of enactment of this section, the  
7 Commission shall promulgate rules to establish  
8 a registry to record registrations under sub-  
9 section (a)(1).

10 “(B) SERVICE QUALITY STANDARDS.—Not  
11 later than 1 year after the date of enactment of  
12 this section, the Commission shall promulgate  
13 rules to establish service quality standards for  
14 the transmission of covered voice communica-  
15 tions by intermediate providers.

16 “(2) REQUIREMENTS.—In promulgating the  
17 rules required by paragraph (1), the Commission  
18 shall—

19 “(A) ensure the integrity of the trans-  
20 mission of covered voice communications to all  
21 customers in the United States; and

22 “(B) prevent unjust or unreasonable dis-  
23 crimination among areas of the United States  
24 in the delivery of covered voice communications.



1       “(d) PUBLIC AVAILABILITY OF REGISTRY.—The  
2 Commission shall make the registry established under sub-  
3 section (c)(1)(A) publicly available on the website of the  
4 Commission.

5       “(e) SCOPE OF APPLICATION.—The requirements of  
6 this section shall apply regardless of the format by which  
7 any communication or service is provided, the protocol or  
8 format by which the transmission of such communication  
9 or service is achieved, or the regulatory classification of  
10 such communication or service.

11       “(f) RULE OF CONSTRUCTION.—Nothing in this sec-  
12 tion shall be construed to affect the regulatory classifica-  
13 tion of any communication or service.

14       “(g) EFFECT ON OTHER LAWS.—Nothing in this sec-  
15 tion shall be construed to preempt or expand the authority  
16 of a State public utility commission or other relevant State  
17 agency to collect data, or investigate and enforce State  
18 law and regulations, regarding the completion of intra-  
19 state voice communications, regardless of the format by  
20 which any communication or service is provided, the pro-  
21 tocol or format by which the transmission of such commu-  
22 nication or service is achieved, or the regulatory classifica-  
23 tion of such communication or service.

24       “(h) EXCEPTION.—The requirement under sub-  
25 section (a)(2) to comply with the service quality standards

1 established under subsection (c)(1)(B) shall not apply to  
2 a covered provider that—

3 “(1) on or before the date that is 1 year after  
4 the date of enactment of this section, has certified  
5 as a Safe Harbor provider under section 64.2107(a)  
6 of title 47, Code of Federal Regulations, or any suc-  
7 cessor regulation; and

8 “(2) continues to meet the requirements under  
9 such section 64.2107(a).

10 “(i) DEFINITIONS.—In this section:

11 “(1) COVERED PROVIDER.—The term ‘covered  
12 provider’ has the meaning given the term in section  
13 64.2101 of title 47, Code of Federal Regulations, or  
14 any successor thereto.

15 “(2) COVERED VOICE COMMUNICATION.—The  
16 term ‘covered voice communication’ means a voice  
17 communication (including any related signaling in-  
18 formation) that is generated—

19 “(A) from the placement of a call from a  
20 connection using a North American Numbering  
21 Plan resource or a call placed to a connection  
22 using such a numbering resource; and

23 “(B) through any service provided by a  
24 covered provider.

1           “(3) INTERMEDIATE PROVIDER.—The term ‘in-  
2           intermediate provider’ means any entity that—

3                   “(A) enters into a business arrangement  
4                   with a covered provider or other intermediate  
5                   provider for the specific purpose of carrying,  
6                   routing, or transmitting voice traffic that is  
7                   generated from the placement of a call placed—

8                           “(i) from an end user connection  
9                           using a North American Numbering Plan  
10                           resource; or

11                           “(ii) to an end user connection using  
12                           such a numbering resource; and

13                   “(B) does not itself, either directly or in  
14                   conjunction with an affiliate, serve as a covered  
15                   provider in the context of originating or termi-  
16                   nating a given call.”.

17 **SEC. 604. SPOOFING PREVENTION.**

18           (a) EXPANDING AND CLARIFYING PROHIBITION ON  
19 MISLEADING OR INACCURATE CALLER IDENTIFICATION  
20 INFORMATION.—

21                   (1) COMMUNICATIONS FROM OUTSIDE THE  
22 UNITED STATES.—Section 227(e)(1) of the Commu-  
23 nications Act of 1934 (47 U.S.C. 227(e)(1)) is  
24 amended by striking “in connection with any tele-  
25 communications service or IP-enabled voice service”

1 and inserting “or any person outside the United  
2 States if the recipient is within the United States,  
3 in connection with any voice service or text mes-  
4 saging service”.

5 (2) COVERAGE OF TEXT MESSAGES AND VOICE  
6 SERVICES.—Section 227(e)(8) of the Communica-  
7 tions Act of 1934 (47 U.S.C. 227(e)(8)) is amend-  
8 ed—

9 (A) in subparagraph (A), by striking “tele-  
10 communications service or IP-enabled voice  
11 service” and inserting “voice service or a text  
12 message sent using a text messaging service”;

13 (B) in the first sentence of subparagraph  
14 (B), by striking “telecommunications service or  
15 IP-enabled voice service” and inserting “voice  
16 service or a text message sent using a text mes-  
17 saging service”; and

18 (C) by striking subparagraph (C) and in-  
19 serting the following:

20 “(C) TEXT MESSAGE.—The term ‘text  
21 message’—

22 “(i) means a message consisting of  
23 text, images, sounds, or other information  
24 that is transmitted to or from a device that  
25 is identified as the receiving or transmit-

1           ting device by means of a 10-digit tele-  
2           phone number or N11 service code;

3           “(ii) includes a short message service  
4           (commonly referred to as ‘SMS’) message  
5           and a multimedia message service (com-  
6           monly referred to as ‘MMS’) message; and

7           “(iii) does not include—

8           “(I) a real-time, two-way voice or  
9           video communication; or

10          “(II) a message sent over an IP-  
11          enabled messaging service to another  
12          user of the same messaging service,  
13          except a message described in clause  
14          (ii).

15          “(D) TEXT MESSAGING SERVICE.—The  
16          term ‘text messaging service’ means a service  
17          that enables the transmission or receipt of a  
18          text message, including a service provided as  
19          part of or in connection with a voice service.

20          “(E) VOICE SERVICE.—The term ‘voice  
21          service’—

22          “(i) means any service that is inter-  
23          connected with the public switched tele-  
24          phone network and that furnishes voice  
25          communications to an end user using re-

1 sources from the North American Num-  
2 bering Plan or any successor to the North  
3 American Numbering Plan adopted by the  
4 Commission under section 251(e)(1); and

5 “(ii) includes transmissions from a  
6 telephone facsimile machine, computer, or  
7 other device to a telephone facsimile ma-  
8 chine.”.

9 (3) TECHNICAL AMENDMENT.—Section 227(e)  
10 of the Communications Act of 1934 (47 U.S.C.  
11 227(e)) is amended in the heading by inserting  
12 “MISLEADING OR” before “INACCURATE”.

13 (4) REGULATIONS.—

14 (A) IN GENERAL.—Section 227(e)(3)(A) of  
15 the Communications Act of 1934 (47 U.S.C.  
16 227(e)(3)(A)) is amended by striking “Not  
17 later than 6 months after the date of enactment  
18 of the Truth in Caller ID Act of 2009, the  
19 Commission” and inserting “The Commission”.

20 (B) DEADLINE.—The Commission shall  
21 prescribe regulations to implement the amend-  
22 ments made by this subsection not later than  
23 18 months after the date of enactment of this  
24 Act.

1           (5) EFFECTIVE DATE.—The amendments made  
2           by this subsection shall take effect on the date that  
3           is 6 months after the date on which the Commission  
4           prescribes regulations under paragraph (4).

5           (b) CONSUMER EDUCATION MATERIALS ON HOW TO  
6 AVOID SCAMS THAT RELY UPON MISLEADING OR INAC-  
7 CURATE CALLER IDENTIFICATION INFORMATION.—

8           (1) DEVELOPMENT OF MATERIALS.—Not later  
9           than 1 year after the date of enactment of this Act,  
10          the Commission, in coordination with the Federal  
11          Trade Commission, shall develop consumer edu-  
12          cation materials that provide information about—

13                (A) ways for consumers to identify scams  
14                and other fraudulent activity that rely upon the  
15                use of misleading or inaccurate caller identifica-  
16                tion information; and

17                (B) existing technologies, if any, that a  
18                consumer can use to protect against such scams  
19                and other fraudulent activity.

20          (2) CONTENTS.—In developing the consumer  
21          education materials under paragraph (1), the Com-  
22          mission shall—

23                (A) identify existing technologies, if any,  
24                that can help consumers guard themselves  
25                against scams and other fraudulent activity

1 that rely upon the use of misleading or inaccurate  
2 caller identification information, including—  
3

4 (i) descriptions of how a consumer  
5 can use the technologies to protect against  
6 such scams and other fraudulent activity;  
7 and

8 (ii) details on how consumers can access and use the technologies; and

9 (B) provide other information that may  
10 help consumers identify and avoid scams and  
11 other fraudulent activity that rely upon the use  
12 of misleading or inaccurate caller identification  
13 information.  
14

15 (3) UPDATES.—The Commission shall ensure  
16 that the consumer education materials required  
17 under paragraph (1) are updated on a regular basis.

18 (4) WEBSITE.—The Commission shall include  
19 the consumer education materials developed under  
20 paragraph (1) on its website.

21 (c) GAO REPORT ON COMBATING THE FRAUDULENT  
22 PROVISION OF MISLEADING OR INACCURATE CALLER  
23 IDENTIFICATION INFORMATION.—

24 (1) IN GENERAL.—The Comptroller General of  
25 the United States shall conduct a study of the ac-



1        tions the Commission and the Federal Trade Com-  
2        mission have taken to combat the fraudulent provi-  
3        sion of misleading or inaccurate caller identification  
4        information, and the additional measures that could  
5        be taken to combat such activity.

6            (2)    REQUIRED    CONSIDERATIONS.—In    con-  
7        ducting the study under paragraph (1), the Comp-  
8        troller General shall examine—

9            (A) trends in the types of scams that rely  
10        on misleading or inaccurate caller identification  
11        information;

12          (B) previous and current enforcement ac-  
13        tions by the Commission and the Federal Trade  
14        Commission to combat the practices prohibited  
15        by section 227(e)(1) of the Communications Act  
16        of 1934 (47 U.S.C. 227(e)(1));

17          (C) current efforts by industry groups and  
18        other entities to develop technical standards to  
19        deter or prevent the fraudulent provision of  
20        misleading or inaccurate caller identification in-  
21        formation, and how such standards may help  
22        combat the current and future provision of mis-  
23        leading or inaccurate caller identification infor-  
24        mation; and

1           (D) whether there are additional actions  
2           the Commission, the Federal Trade Commis-  
3           sion, and Congress should take to combat the  
4           fraudulent provision of misleading or inaccurate  
5           caller identification information.

6           (3) REPORT.—Not later than 18 months after  
7           the date of enactment of this Act, the Comptroller  
8           General shall submit to the Committee on Energy  
9           and Commerce of the House of Representatives and  
10          the Committee on Commerce, Science, and Trans-  
11          portation of the Senate a report on the findings of  
12          the study under paragraph (1), including any rec-  
13          ommendations regarding combating the fraudulent  
14          provision of misleading or inaccurate caller identi-  
15          fication information.

16          (d) RULE OF CONSTRUCTION.—Nothing in this sec-  
17          tion, or the amendments made by this section, shall be  
18          construed to modify, limit, or otherwise affect any rule or  
19          order adopted by the Commission in connection with—

20                (1) the Telephone Consumer Protection Act of  
21                1991 (Public Law 102–243; 105 Stat. 2394) or the  
22                amendments made by that Act; or

23                (2) the CAN–SPAM Act of 2003 (15 U.S.C.  
24                7701 et seq.).

1 **SEC. 605. CONFIGURATION OF MULTI-LINE TELEPHONE**  
2 **SYSTEMS FOR DIRECT DIALING OF 9-1-1.**

3 (a) IN GENERAL.—Title VII of the Communications  
4 Act of 1934 (47 U.S.C. 601 et seq.) is amended by adding  
5 at the end the following:

6 **“SEC. 721. CONFIGURATION OF MULTI-LINE TELEPHONE**  
7 **SYSTEMS FOR DIRECT DIALING OF 9-1-1.**

8 “(a) SYSTEM MANUFACTURE, IMPORTATION, SALE,  
9 AND LEASE.—A person engaged in the business of manu-  
10 facturing, importing, selling, or leasing multi-line tele-  
11 phone systems may not manufacture or import for use in  
12 the United States, or sell or lease or offer to sell or lease  
13 in the United States, a multi-line telephone system, unless  
14 such system is pre-configured such that, when properly in-  
15 stalled in accordance with subsection (b), a user may di-  
16 rectly initiate a call to 9-1-1 from any station equipped  
17 with dialing facilities, without dialing any additional digit,  
18 code, prefix, or post-fix, including any trunk-access code  
19 such as the digit ‘9’, regardless of whether the user is re-  
20 quired to dial such a digit, code, prefix, or post-fix for  
21 other calls.

22 “(b) SYSTEM INSTALLATION, MANAGEMENT, AND  
23 OPERATION.—A person engaged in the business of install-  
24 ing, managing, or operating multi-line telephone systems  
25 may not install, manage, or operate for use in the United  
26 States such a system, unless such system is configured

1 such that a user may directly initiate a call to 9–1–1 from  
2 any station equipped with dialing facilities, without dialing  
3 any additional digit, code, prefix, or post-fix, including any  
4 trunk-access code such as the digit ‘9’, regardless of  
5 whether the user is required to dial such a digit, code,  
6 prefix, or post-fix for other calls.

7 “(c) ON-SITE NOTIFICATION.—A person engaged in  
8 the business of installing, managing, or operating multi-  
9 line telephone systems shall, in installing, managing, or  
10 operating such a system for use in the United States, con-  
11 figure the system to provide a notification to a central lo-  
12 cation at the facility where the system is installed or to  
13 another person or organization regardless of location, if  
14 the system is able to be configured to provide the notifica-  
15 tion without an improvement to the hardware or software  
16 of the system.

17 “(d) EFFECT ON STATE LAW.—Nothing in this sec-  
18 tion is intended to alter the authority of State commis-  
19 sions or other State or local agencies with jurisdiction over  
20 emergency communications, if the exercise of such author-  
21 ity is not inconsistent with this Act.

22 “(e) ENFORCEMENT.—This section shall be enforced  
23 under title V, except that section 501 applies only to the  
24 extent that such section provides for the punishment of  
25 a fine.

1       “(f) MULTI-LINE TELEPHONE SYSTEM DEFINED.—  
2 In this section, the term ‘multi-line telephone system’ has  
3 the meaning given such term in section 6502 of the Middle  
4 Class Tax Relief and Job Creation Act of 2012 (47 U.S.C.  
5 1471).”.

6       (b) EFFECTIVE DATE.—

7           (1) IN GENERAL.—Except as provided in para-  
8 graph (2), section 721 of the Communications Act  
9 of 1934, as added by subsection (a) of this section,  
10 shall apply beginning on the date that is 2 years  
11 after the date of the enactment of this Act.

12           (2) EXCEPTION.—Subsection (b) or (c) of such  
13 section 721 shall not apply to a multi-line telephone  
14 system that was installed before the date that is 2  
15 years after the date of the enactment of this Act if  
16 such system is not able to be configured to meet the  
17 requirement of such subsection (b) or (c), respec-  
18 tively, without an improvement to the hardware or  
19 software of the system.

20 **SEC. 606. REPORT ON PROMOTING BROADBAND INTERNET**  
21 **ACCESS SERVICE FOR VETERANS.**

22       (a) VETERAN DEFINED.—In this section, the term  
23 “veteran” has the meaning given the term in section 101  
24 of title 38, United States Code.

1 (b) REPORT REQUIRED.—Not later than 1 year after  
2 the date of the enactment of this Act, the Commission  
3 shall submit to Congress a report on promoting broadband  
4 Internet access service for veterans, in particular low-in-  
5 come veterans and veterans residing in rural areas. In  
6 such report, the Commission shall—

7 (1) examine such access and how to promote  
8 such access; and

9 (2) provide findings and recommendations for  
10 Congress with respect to such access and how to  
11 promote such access.

12 (c) PUBLIC NOTICE AND OPPORTUNITY TO COM-  
13 MENT.—In preparing the report required by subsection  
14 (b), the Commission shall provide the public with notice  
15 and an opportunity to comment on broadband Internet ac-  
16 cess service for veterans, in particular low-income veterans  
17 and veterans residing in rural areas, and how to promote  
18 such access.

19 **SEC. 607. METHODOLOGY FOR COLLECTION OF MOBILE**  
20 **SERVICE COVERAGE DATA.**

21 (a) DEFINITIONS.—In this section—

22 (1) the term “commercial mobile data service”  
23 has the meaning given the term in section 6001 of  
24 the Middle Class Tax Relief and Job Creation Act  
25 of 2012 (47 U.S.C. 1401);

1           (2) the term “commercial mobile service” has  
2 the meaning given the term in section 332(d) of the  
3 Communications Act of 1934 (47 U.S.C. 332(d));

4           (3) the term “coverage data” means, if com-  
5 mercial mobile service or commercial mobile data  
6 service is available, general information about the  
7 service, which may include available speed tiers and  
8 performance characteristics; and

9           (4) the term “Universal Service program”  
10 means the universal service support mechanisms es-  
11 tablished under section 254 of the Communications  
12 Act of 1934 (47 U.S.C. 254) and the regulations  
13 issued under that section.

14       (b) **METHODOLOGY ESTABLISHED.**—Not later than  
15 180 days after the conclusion of Auction 903, the Commis-  
16 sion shall promulgate regulations to establish a method-  
17 ology that shall apply to the collection of coverage data  
18 by the Commission for the purposes of—

19           (1) the Universal Service program; or

20           (2) any other similar program.

21       (c) **REQUIREMENTS.**—The methodology established  
22 under subsection (b) shall—

23           (1) contain standard definitions for different  
24 available technologies such as 2G, 3G, 4G, and 4G  
25 LTE;

1           (2) enhance the consistency and robustness of  
2           how the data are collected by different parties;

3           (3) improve the validity and reliability of cov-  
4           erage data; and

5           (4) increase the efficiency of coverage data col-  
6           lection.

7 **SEC. 608. ACCURACY OF 9-1-1 CALL LOCATION INFORMA-**  
8 **TION.**

9           (a) **PROCEEDING REQUIRED.**—Not later than 18  
10 months after the date of the enactment of this Act, the  
11 Commission shall conclude a proceeding to consider adopt-  
12 ing rules to ensure that call location information is con-  
13 veyed with a 9-1-1 call, regardless of the technological  
14 platform used and including with calls from multi-line  
15 telephone systems (as defined in section 6502 of the Mid-  
16 dle Class Tax Relief and Job Creation Act of 2012 (47  
17 U.S.C. 1471)).

18           (b) **RELATIONSHIP TO OTHER PROCEEDINGS.**—In  
19 conducting the proceeding required by subsection (a), the  
20 Commission may consider information and conclusions  
21 from other Commission proceedings regarding the accu-  
22 racy of call location information, but nothing in this sec-  
23 tion shall be construed to require the Commission to re-  
24 consider any information or conclusion from a proceeding  
25 regarding the accuracy of call location information in



1 which the Commission has adopted rules or issued an  
2 order before the date of the enactment of this Act.

3 (c) OTHER AUTHORITY.—In addition to the authority  
4 to adopt any rules the Commission finds to be necessary  
5 in the proceeding required by subsection (a), the Commis-  
6 sion shall have the authority to adopt any other rules,  
7 technical standards, protocols, and procedures as are nec-  
8 essary to ensure that call location information is conveyed  
9 as described in such subsection.

10 (d) DEFINITIONS.—In this section:

11 (1) 9–1–1 CALL.—The term “9–1–1 call”  
12 means a voice call that is placed, or a message that  
13 is sent by other means of communication, to a public  
14 safety answering point (as defined in section 222 of  
15 the Communications Act of 1934 (47 U.S.C. 222))  
16 for the purpose of requesting emergency services.

17 (2) CALL LOCATION INFORMATION.—The term  
18 “call location information” means accurate and  
19 timely information regarding the location of the call-  
20 er, as determined to be technically feasible and  
21 achievable by the Commission.

22 **SEC. 609. INTERAGENCY COMMUNICATIONS SECURITY**  
23 **COMMITTEE.**

24 (a) ESTABLISHMENT.—Not later than 6 months after  
25 the date of the enactment of this Act, the Assistant Sec-

1   retary of Commerce for Communications and Information  
2   shall establish an advisory committee to be known as the  
3   Interagency Communications Security Committee (in this  
4   section referred to as the “Committee”).

5       (b) DUTIES.—The Committee shall—

6           (1) review each communications security report  
7           submitted to the Committee under subsection (d) or  
8           (f);

9           (2) recommend investigation to relevant agen-  
10          cies into any such communications security report;  
11          and

12          (3) issue regular reports containing the results  
13          of any such investigation, the Committee’s findings  
14          following each communications security incident, and  
15          policy recommendations that may arise from each  
16          communications security incident to the following:

17               (A) The agencies represented on the Com-  
18               mittee.

19               (B) The Committee on Energy and Com-  
20               merce of the House of Representatives.

21               (C) The Committee on Commerce, Science,  
22               and Transportation of the Senate.

23               (D) The Permanent Select Committee on  
24               Intelligence of the House of Representatives.

1           (E) The Select Committee on Intelligence  
2 of the Senate.

3           (F) The Armed Services Committee of the  
4 House of Representatives.

5           (G) The Armed Services Committee of the  
6 Senate.

7           (H) The Committee on Homeland Security  
8 of the House of Representatives.

9           (I) The Committee on Homeland Security  
10 and Governmental Affairs of the Senate.

11           (J) The Foreign Affairs Committee of the  
12 House of Representatives.

13           (K) The Foreign Relations Committee of  
14 the Senate.

15       (c) MEMBERSHIP.—The Committee shall be com-  
16 posed of 8 members, who shall each possess the appro-  
17 priate access to classified information commensurate with  
18 the sensitivity of the classified information such members  
19 shall access in the course of service on the Committee. The  
20 members of the Committee shall include only—

21           (1) one appointee from the National Tele-  
22 communications and Information Administration, to  
23 be appointed by the Assistant Secretary of Com-  
24 merce for Communications and Information, who  
25 shall serve as Chair of the Committee;

1           (2) one appointee from the Department of De-  
2 fense, to be appointed by the Secretary of Defense;

3           (3) one appointee from the Department of  
4 Homeland Security, to be appointed by the Sec-  
5 retary of Homeland Security;

6           (4) one appointee from the Department of Jus-  
7 tice, to be appointed by the Attorney General of the  
8 United States;

9           (5) one appointee from the intelligence commu-  
10 nity, to be appointed by the Director of National In-  
11 telligence;

12           (6) one appointee from the National Institute of  
13 Standards and Technology, to be appointed by the  
14 Director of the National Institute of Standards and  
15 Technology;

16           (7) one appointee from the Federal Commu-  
17 nications Commission, who shall not be a member of  
18 the Commission, to be appointed by the Chair of the  
19 Commission; and

20           (8) one appointee from the Office of Manage-  
21 ment and Budget, to be appointed by the Director  
22 of the Office of Management and Budget.

23       (d) PUBLIC COMMUNICATIONS SECURITY RE-  
24 PORTS.—The Committee shall consider communications  
25 security reports from communications network providers.

1 (e) APPLICATION OF CRITICAL INFRASTRUCTURE IN-  
2 FORMATION PROTECTIONS.—For purposes of subtitle B  
3 of title II of the Homeland Security Act of 2002 (6 U.S.C.  
4 131 et seq.)—

5 (1) communications networks shall be treated  
6 as critical infrastructure and protected systems de-  
7 fined in sections 2(4) and 212(6), respectively, of  
8 the Homeland Security Act of 2002 (6 U.S.C.  
9 101(4); 6 U.S.C. 131(6)); and

10 (2) with respect to critical infrastructure infor-  
11 mation relating to communications networks, the  
12 National Telecommunications and Information Ad-  
13 ministration (in addition to the Department of  
14 Homeland Security) shall be treated as a covered  
15 Federal agency defined in section 212(2) of such  
16 Act.

17 (f) AGENCY COMMUNICATIONS SECURITY RE-  
18 PORTS.—Not less frequently than every 3 months, the  
19 head of each agency shall submit to the Committee a re-  
20 port of each communications security incident for the pre-  
21 vious 3 months.

22 (g) CONTINUATION OF COMMITTEE.—Section 14 of  
23 the Federal Advisory Committee Act (5 U.S.C. App.) does  
24 not apply to the Committee.

25 (h) DEFINITIONS.—In this section:

1           (1) AGENCY.—The term “agency” has the  
2 meaning given that term in section 3502 of title 44,  
3 United States Code.

4           (2) COMMUNICATIONS NETWORK.—The term  
5 “communications network” means a network for the  
6 provision of wireline or mobile telephone service,  
7 Internet access service, radio or television broad-  
8 casting, cable service, direct broadcast satellite serv-  
9 ice, or any other communications service.

10          (3) COMMUNICATIONS SECURITY INCIDENT.—  
11 The term “communications security incident” means  
12 any compromise, whether electronic or otherwise, of  
13 any telecommunications system that the agency has  
14 reason to believe—

15               (A) resulted in Government-held or private  
16 information, including passwords and other  
17 similar means of access, being viewed or ex-  
18 tracted; or

19               (B) resulted in the presence of outside pro-  
20 gramming on an agency computer or other elec-  
21 tronic device.

22          (4) COMMUNICATIONS SECURITY REPORT.—The  
23 term “communications security report” means a de-  
24 scription of a communications security incident or

- 1 multiple communications security incidents referred
- 2 to the Committee.

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