AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4986
OFFERED BY MRS. BLACKBURN OF TENNESSEE

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Repack Airwaves Yielding Better Access for Users of
4 Modern Services Act of 2018” or the “RAY BAUM’S Act
5 of 2018”.

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

7 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. 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 pro-
ceedings.
Sec. 206. Timely availability of items adopted by vote of the Commission.

TITLE III—SECURING ACCESS TO NETWORKS IN DISASTERS

Sec. 301. Study on network resiliency.
Sec. 302. Access to essential service providers during federally declared emer-
gencies.
Sec. 303. Definitions.
TITLE IV—FCC CONSOLIDATED REPORTING

Sec. 401. Communications marketplace report.
Sec. 402. Consolidation of redundant reports; conforming amendments.
Sec. 403. Effect on authority.
Sec. 404. Other reports.

TITLE V—ADDITIONAL PROVISIONS

Sec. 501. Independent Inspector General for FCC.
Sec. 502. Authority of Chief Information Officer.
Sec. 503. Spoofing prevention.
Sec. 504. Report on promoting broadband Internet access service for veterans.
Sec. 505. Methodology for collection of mobile service coverage data.
Sec. 506. Accuracy of dispatchable location for 9-1-1 calls.
Sec. 507. NTIA study on interagency process following cybersecurity incidents.
Sec. 508. Tribal digital access.

TITLE VI—VIEWER PROTECTION

Sec. 601. Reserve source for payment of TV broadcaster relocation costs.
Sec. 602. Payment of relocation costs of television translator stations and low power television stations.
Sec. 603. Payment of relocation costs of FM broadcast stations.
Sec. 604. Consumer education payment.
Sec. 605. Implementation and enforcement.
Sec. 606. Rule of construction.

SEC. 2. COMMISSION DEFINED.

In this Act, the term “Commission” means the Federal Communications Commission.

TITLE I—FCC REAUTHORIZATION

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

(a) In General.—Section 6 of the Communications Act of 1934 (47 U.S.C. 156) is amended to read as follows:

“SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

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

“(b) OFFSETTING COLLECTIONS.—

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

“(2) DEPOSIT OF COLLECTIONS.—Amounts received from fees authorized by section 9 shall be deposited as an offsetting collection in, and credited to, the account through which funds are made available to carry out the activities described in subsection (a).

“(3) DEPOSIT OF EXCESS COLLECTIONS.—Any fees collected in excess of the total amount of fees provided for in Appropriations Acts for a fiscal year shall be deposited in the general fund of the Treasury of the United States for the sole purpose of deficit reduction.”.

(b) DEPOSITS OF BIDDERS TO BE DEPOSITED IN TREASURY.—Section 309(j)(8)(C) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(C)) is amended—
(1) in the first sentence, by striking “an interest bearing account” and all that follows and inserting “the Treasury.”;

(2) in clause (i)—

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

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

(3) in clause (ii), by striking “; and” and inserting “, and payments representing the return of such deposits shall not be subject to administrative offset under section 3716(e) of title 31, United States Code.”; and

(4) by striking clause (iii).

(c) ELIMINATION OF DUPLICATIVE AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 710 of the Telecommunications Act of 1996 (Public Law 104–104) is repealed.

(2) CONFORMING AMENDMENT.—The table of contents in section 2 of such Act is amended by striking the item relating to section 710.
(d) **TRANSFER OF FUNDS.**—On the effective date described in section 103, any amounts in the account providing appropriations to carry out the functions of the Commission that were collected in excess of the amounts provided for in Appropriations Acts in any fiscal year prior to such date shall be transferred to the general fund of the Treasury of the United States for the sole purpose of deficit reduction.

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

(a) **IN GENERAL.**—Section 9 of the Communications Act of 1934 (47 U.S.C. 159) is amended to read as follows:

“SEC. 9. APPLICATION AND REGULATORY FEES.

“(a) GENERAL AUTHORITY.—The Commission shall assess and collect application fees and regulatory fees to recover the costs of carrying out the activities described in section 6(a) only to the extent and in the amounts provided for in advance in Appropriations Acts.

“(b) APPLICATION FEES.—

“(1) IN GENERAL.—The Commission shall assess and collect application fees at such rates as the Commission shall establish in a schedule of application fees to recover the costs of the Commission to process applications.

“(2) ADJUSTMENT OF SCHEDULE.—
“(A) IN GENERAL.—In every even-numbered year, the Commission shall review the schedule of application fees established under this subsection and, except as provided in subparagraph (B), set a new amount for each fee in the schedule that is equal to the amount of the fee on the date when the fee was established or the date when the fee was last amended under paragraph (3), whichever is later—

“(i) increased or decreased by the percentage change in the Consumer Price Index during the period beginning on such date and ending on the date of the review; and

“(ii) rounded to the nearest $5 increment.

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

“(i) in the case of a fee the current amount of which is less than $200, the adjustment would result in a change in the current amount of less than $10; or

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

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

“(3) AMENDMENTS.—In addition to the adjustments required by paragraph (2), the Commission shall by rule amend the schedule of application fees established under this subsection if the Commission determines that the schedule requires amendment so that such fees reflect increases or decreases in the costs of processing applications at the Commission and the consolidation or addition of new categories of applications.

“(c) REGULATORY FEES.—

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

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

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

“(2) ADJUSTMENT OF SCHEDULE.—

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

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

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

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

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

“(d) Judicial Review Prohibited.—An adjustment or amendment to a schedule of fees under subsection (b) or (c) is not subject to judicial review.

“(e) Notice to Congress.—The Commission shall transmit to Congress notification—

“(1) of any adjustment under subsection (b)(2) or (c)(2) immediately upon the adoption of such adjustment; and

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

“(f) Enforcement.—

“(1) Penalties for Late Payment.—The Commission shall by rule prescribe a penalty for late payment of fees under this section. Such penalty
shall be 25 percent of the amount of the fee that
was not paid in a timely manner.

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

“(3) DISMISSAL OF APPLICATIONS OR FIL-
INGS.—The Commission may dismiss any applica-
tion or other filing for failure to pay in a timely
manner any fee, interest, or penalty under this sec-
tion.

“(4) REVOCATIONS.—

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

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

“(C) Hearing.—

“(i) Generally not required.—A
hearing is not required under this para-
graph unless the licensee’s response pre-
sents a substantial and material question
of fact.

“(ii) Evidence and burdens.—In
any case where a hearing is conducted
under this paragraph, the hearing shall be
based on written evidence only, and the
burden of proceeding with the introduction
of evidence and the burden of proof shall
be on the licensee.

“(iii) Costs.—Unless the licensee
substantially prevails in the hearing, the
Commission may assess the licensee for the
costs of such hearing.
“(D) OPPORTUNITY TO PAY PRIOR TO REVOCATION.—Any Commission order adopted under this paragraph shall determine the amount due, if any, and provide the licensee with at least 30 days to pay that amount or have its authorization revoked.

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

“(g) WAIVER, REDUCTION, AND DEFERMENT.—The Commission may waive, reduce, or defer payment of a fee, interest charge, or penalty in any specific instance for good cause shown, if such action would promote the public interest.

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

“(1) in the case of fees in large amounts, by installments; and

“(2) in the case of fees in small amounts, in advance for a number of years not to exceed the term of the license held by the payor.

“(i) EXCEPTIONS.—

“(1) PARTIES TO WHICH FEES ARE NOT APPLICABLE.—
“(A) APPLICATION FEES.—The application fees established under this section shall not be applicable to—

“(i) a governmental entity;

“(ii) a nonprofit entity licensed in the Local Government, Police, Fire, Highway Maintenance, Forestry-Conservation, Public Safety, or Special Emergency Radio service; or

“(iii) a noncommercial radio station or noncommercial television station.

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

“(i) a governmental entity or nonprofit entity;

“(ii) an amateur radio operator licensee under part 97 of the Commission’s rules (47 C.F.R. part 97); or

“(iii) a noncommercial radio station or noncommercial television station.

“(2) COST OF COLLECTION.—

“(A) APPLICATION FEES.—If, in the judgment of the Commission, the cost of collecting an application fee established under this section
would exceed the amount collected, the Commission may by rule eliminate such fee.

“(B) Regulatory Fees.—If, in the judgment of the Commission, the cost of collecting a regulatory fee established under this section from a party would exceed the amount collected from such party, the Commission may exempt such party from paying such fee.

“(j) Accounting System.—The Commission shall develop accounting systems necessary to make the amendments authorized by subsections (b)(3) and (c)(3).”.

(b) Conforming Amendments.—The Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended—

(1) by repealing section 8; and

(2) in section 309(j)(6)(H), by striking “charges imposed pursuant to section 8 of this Act” and inserting “application fees assessed under section 9”.

(c) Transitional Rules.—

(1) Application Fees.—An application fee established under section 8 of the Communications Act of 1934, as such section is in effect on the day before the effective date described in section 103 of this Act, shall remain in effect under subsection (b) of section 9 of the Communications Act of 1934, as
amended by subsection (a) of this section, until such
time as the Commission adjusts or amends such fee
under subsection (b)(2) or (b)(3) of such section 9,
as so amended.

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

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

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

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

SEC. 103. EFFECTIVE DATE.

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

TITLE II—FCC PROCESS REFORM

SEC. 201. FCC PROCESS REFORM.

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

“SEC. 13. TRANSPARENCY AND EFFICIENCY.

“(a) INITIAL RULEMAKING AND INQUIRY.—

“(1) RULEMAKING.—Not later than 1 year after the date of the enactment of this section, the Commission shall complete a rulemaking proceeding and adopt procedural changes to its rules to maximize opportunities for public participation and efficient decisionmaking.

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

“(A) set minimum comment periods for comment and reply comment, subject to a determination by the Commission that good cause
exists for departing from such minimum comment periods, for—

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

“(ii) all other rulemaking proceedings;

“(B) establish policies concerning the submission of extensive new comments, data, or reports towards the end of the comment period in the proceedings described in clauses (i) and (ii) of subparagraph (A);

“(C) establish policies regarding treatment of comments, ex parte communications, and data or reports (including statistical reports and reports to Congress) submitted after the comment period in the proceedings described in clauses (i) and (ii) of subparagraph (A) to ensure that the public has adequate notice of and opportunity to respond to such submissions before the Commission relies on such submissions in any order, decision, report, or action;

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

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

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

“(I) the number of such requests, broken down by the bureau primarily responsible for action and, for each bureau, the type of request (such as a petition, application, or complaint); and

“(II) information regarding the amount of time for which such requests have been pending, broken
down as described in subclause (I);

and

“(iii) a list of the congressional investiga-
tions of the Commission that were
pending on the last day of such quarter (or
more frequent period, as the case may be)
and the cost of such investigations, individ-
ually and in the aggregate;

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

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

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

and

“(iii) in the case of a petition for re-
consideration under section 1.106 or 1.429
of such title or an application for review
under section 1.115 of such title, issuing a
public notice of a decision on the petition
or application by the Commission or under
delegated authority (as the case may be);
“(F) establish guidelines (relative to the
date of filing) for the disposition of petitions
filed under section 1.2 of such title;

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

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

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

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

“(I) performance measures for
evaluating the effectiveness of the pro-
gram activity as changed (or proposed
to be changed); or

“(II) a finding that existing per-
formance measures will effectively
evaluate the program activity as
changed (or proposed to be changed).
“(3) INQUIRY.—Not later than 1 year after the date of the enactment of this section, the Commission shall complete an inquiry to seek public comment on whether and how the Commission should—

“(A) establish procedures for allowing a bipartisan majority of Commissioners to place an order, decision, report, or action on the agenda of an open meeting;

“(B) establish procedures for informing all Commissioners of a reasonable number of options available to the Commission for resolving a petition, complaint, application, rulemaking, or other proceeding;

“(C) establish procedures for ensuring that all Commissioners have adequate time, prior to being required to decide a petition, complaint, application, rulemaking, or other proceeding (including at a meeting held pursuant to section 5(d)), to review the proposed Commission decision document, including the specific language of any proposed rule or any proposed amendment of an existing rule;

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

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

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

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

“(4) Data for performance measures.—
The Commission shall develop a performance meas-
ure or proposed performance measure required by
this subsection to rely, where possible, on data al-
ready collected by the Commission.

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

“(b) PERIODIC REVIEW.—On the date that is 5 years after the completion of the rulemaking proceeding under subsection (a)(1), and every 5 years thereafter, the Commission shall initiate a new rulemaking proceeding to continue to consider such procedural changes to its rules as may be in the public interest to maximize opportunities for public participation and efficient decisionmaking.

“(c) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

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

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

“(B) each person present at such meeting is a Commissioner, an employee of the Commission, a member of a joint board or conference established under section 410, or a person on the staff of such a joint board or conference or of a member of such a joint board or conference; and
“(C) an attorney from the Office of General Counsel of the Commission is present at such meeting.

“(2) Disclosure of nonpublic collaborative discussions.—Not later than 2 business days after the conclusion of a meeting held under paragraph (1), the Commission shall publish a disclosure of such meeting, including—

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

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

“(3) Preservation of open meetings requirements for agency action.—Nothing in this subsection shall limit the applicability of section 552b of title 5, United States Code, with respect to a meeting of Commissioners other than that described in paragraph (1).

“(d) Access to certain information on Commission’s website.—The Commission shall provide direct access from the homepage of its website to—

“(1) detailed information regarding—
“(A) the budget of the Commission for the current fiscal year;

“(B) the appropriations for the Commission for such fiscal year; and

“(C) the total number of full-time equivalent employees of the Commission; and

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

“(e) INTERNET PUBLICATION OF CERTAIN FCC POLICIES AND PROCEDURES.—The chairman of the Commission shall—

“(1) publish on the Internet website of the Commission any policies or procedures of the Commission that—

“(A) are established by the chairman; and

“(B) relate to the functioning of the Commission or the handling of the agenda of the Commission; and

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

“(f) FEDERAL REGISTER PUBLICATION.—

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

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

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

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

“(3) NO EFFECT ON DEADLINES FOR PUBLICA-
tion in other form.—In the case of a deadline
that does not specify that the form of publication is
publication in the Federal Register, the Commission
may comply with such deadline by publishing the
document in another form. Such other form of pub-
lication does not relieve the Commission of any Fed-
eral Register publication requirement applicable to
such document, including the requirement of para-
graph (1).

“(g) CONSUMER COMPLAINT DATABASE.—

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

“(A) facilitates easy use by consumers; and

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

“(i) the date of the filing of the complaint;

“(ii) the topic of the complaint;

“(iii) the party complained of; and

“(iv) other elements that the Commission considers in the public interest.

“(2) DUPLICATIVE COMPLAINTS.—In the case of multiple complaints arising from the same alleged misconduct, the Commission shall be required to include only information concerning one such complaint in the database described in paragraph (1) and shall take any other steps the Commission finds prudent to avoid publishing inaccurate or misleading data.

“(h) FORM OF PUBLICATION.—

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

“(2) EXCEPTION.—The Commission shall by rule establish procedures for redacting documents required to be published by this section so that the published versions of such documents do not contain—

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

“(B) information that is proprietary or confidential.

“(i) TRANSPARENCY RELATING TO PERFORMANCE IN MEETING FOIA REQUIREMENTS.—The Commission shall take additional steps to inform the public about its performance and efficiency in meeting the disclosure and other requirements of section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), including by doing the following:

“(1) Publishing on the Commission’s website the Commission’s logs for tracking, responding to, and managing requests submitted under such section, including the Commission’s fee estimates, fee categories, and fee request determinations.
“(2) Releasing to the public all decisions made by the Commission (including decisions made by the Commission’s Bureaus and Offices) granting or denying requests filed under such section, including any such decisions pertaining to the estimate and application of fees assessed under such section.

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

“(4) Presenting information about the Commission’s handling of requests under such section in the Commission’s annual budget estimates submitted to Congress and the Commission’s annual performance and financial reports. Such information shall include the number of requests under such section the Commission received in the most recent fiscal year, the number of such requests granted and denied, a comparison of the Commission’s processing of such requests over at least the previous 3 fiscal years, and a comparison of the Commission’s results with the most recent average for the United States Government as published on www.foia.gov.

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

“(k) ANNUAL SCORECARD REPORTS.—

“(1) IN GENERAL.—For the 1-year period beginning on January 1st of each year, the Commission shall prepare a report on the performance of the Commission in conducting its proceedings and meeting the deadlines established under subsection (a)(2)(E) and the guidelines established under subsection (a)(2)(F).

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

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

“(i) the number of filings that were pending on the last day of the period covered by such report;

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

“(iii) for filings that were resolved during such period, the average time between initiation and resolution and the percentage for which each applicable deadline or guideline established under such subsection was met;

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

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

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

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

“(3) Publication and Submission.—The Commission shall publish and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate each report required by paragraph (1) not later than the date that is 30 days after the last day of the period covered by such report.
“(1) DEFINITIONS.—In this section:

“(1) AMENDMENT.—The term ‘amendment’ includes, when used with respect to an existing rule, the deletion of such rule.

“(2) BIPARTISAN MAJORITY.—The term ‘bipartisan majority’ means, when used with respect to a group of Commissioners, that such group—

“(A) is a group of three or more Commissioners; and

“(B) includes, for each political party of which any Commissioner is a member, at least one Commissioner who is a member of such political party, and, if any Commissioner has no political party affiliation, at least one unaffiliated Commissioner.

“(3) PERFORMANCE MEASURE.—The term ‘performance measure’ means an objective and quantifiable outcome measure or output measure (as such terms are defined in section 1115 of title 31, United States Code).

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

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

(b) EFFECTIVE DATES AND IMPLEMENTING RULES.—

(1) EFFECTIVE DATES.—

(A) NONPUBLIC COLLABORATIVE DISCUSSIONS.—Subsection (c) of section 13 of the Communications Act of 1934, as added by subsection (a), shall apply beginning on the first date on which all of the procedural changes to the rules of the Commission required by subsection (a)(1) of such section have taken effect.

(B) REPORT RELEASE SCHEDULES.—Subsection (j) of such section 13 shall apply with respect to 2019 and any year thereafter.

(C) ANNUAL SCORECARD REPORTS.—Subsection (k) of such section 13 shall apply with respect to 2018 and any year thereafter.

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

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

SEC. 202. CATEGORIZATION OF TCPA INQUIRIES AND COMPLAINTS IN QUARTERLY REPORT.

In compiling its quarterly report with respect to informal consumer inquiries and complaints, the Commission may not categorize an inquiry or complaint with respect to section 227 of the Communications Act of 1934 (47 U.S.C. 227) as being a wireline inquiry or complaint or a wireless inquiry or complaint unless the party whose conduct is the subject of the inquiry or complaint is a wireline carrier or a wireless carrier, respectively.

SEC. 203. EFFECT ON OTHER LAWS.

Nothing in this title or the amendments made by this title shall relieve the Commission from any obligations under title 5, United States Code, except where otherwise expressly provided.
SEC. 204. APPLICATION OF ANTIDEFICIENCY ACT TO UNIVERSAL SERVICE PROGRAM.

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

SEC. 205. REPORT ON IMPROVING SMALL BUSINESS PARTICIPATION IN FCC PROCEEDINGS.

Not later than 1 year after the date of the enactment of this Act, the Commission, in consultation with the Administrator of the Small Business Administration, shall submit to Congress a report on—

(1) actions that the Commission will take to improve the participation of small businesses in the proceedings of the Commission; and

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

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

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

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

(b) **Effective Date.**—The amendment made by this section shall apply with respect to an item that is adopted after the date that is 30 days after the date of the enactment of this Act.

**TITLE III—SECURING ACCESS TO NETWORKS IN DISASTERS**

**SEC. 301. STUDY ON NETWORK RESILIENCY.**

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

1. making telecommunications service provider-owned WiFi access points, and other communications technologies operating on unlicensed spectrum, available to the general public for access to 9–1–1 services, without requiring any login credentials, during times of emergency when mobile service is unavailable;
2. the provision by non-telecommunications service provider-owned WiFi access points of public
access to 9–1–1 services during times of emergency when mobile service is unavailable; and

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

SEC. 302. ACCESS TO ESSENTIAL SERVICE PROVIDERS DURING FEDERALLY DECLARED EMERGENCIES.

Section 427(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189e(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking “telecommunications service” and inserting “wireline or mobile telephone service, Internet access service, radio or television broadcasting, cable service, or direct broadcast satellite service”;

(B) in subparagraph (E), by striking the semicolon and inserting “; or”;

(C) by redesignating subparagraphs (A) through (E) as clauses (i) through (v), respectively; and

(D) by adding at the end the following:

“(B) is a tower owner or operator;”; and

(2) by striking “(1) provides” and inserting “(1)(A) provides”.

SEC. 303. DEFINITIONS.

As used in this title—

(1) the term “mobile service” means commercial mobile service (as defined in section 332 of the Communications Act of 1934 (47 U.S.C. 332)) or commercial mobile data service (as defined in section 6001 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401));

(2) the term “WiFi access point” means wireless Internet access using the standard designated as 802.11 or any variant thereof; and

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

TITLE IV—FCC CONSOLIDATED REPORTING

SEC. 401. COMMUNICATIONS MARKETPLACE REPORT.

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

“SEC. 14. COMMUNICATIONS MARKETPLACE REPORT.

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

“(b) CONTENTS.—Each report required by subsection (a) shall—

“(1) assess the state of competition in the communications marketplace, including competition to deliver voice, video, audio, and data services among providers of telecommunications, providers of commercial mobile service (as defined in section 332), multichannel video programming distributors (as defined in section 602), broadcast stations, providers of satellite communications, Internet service providers, and other providers of communications services;

“(2) assess the state of deployment of communications capabilities, including advanced telecommunications capability (as defined in section 706 of the Telecommunications Act of 1996 (47 U.S.C. 1302)), regardless of the technology used for such deployment, including whether advanced telecommunications capability is being deployed to all Americans in a reasonable and timely fashion;
“(3) assess whether laws, regulations, or regulatory practices (whether those of the Federal Government, States, political subdivisions of States, Indian tribes or tribal organizations (as such terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), or foreign governments) pose a barrier to competitive entry into the communications marketplace or to the competitive expansion of existing providers of communications services;

“(4) describe the agenda of the Commission for the next 2-year period for addressing the challenges and opportunities in the communications marketplace that were identified through the assessments under paragraphs (1) through (3); and

“(5) describe the actions that the Commission has taken in pursuit of the agenda described pursuant to paragraph (4) in the previous report submitted under this section.

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

“(d) SPECIAL REQUIREMENTS.—

“(1) ASSESSING COMPETITION.—In assessing the state of competition under subsection (b)(1), the Commission shall consider all forms of competition, including the effect of intermodal competition, facilities-based competition, and competition from new and emergent communications services, including the provision of content and communications using the Internet.

“(2) ASSESSING DEPLOYMENT.—In assessing the state of deployment under subsection (b)(2), the Commission shall compile a list of geographical areas that are not served by any provider of advanced telecommunications capability.

“(3) INTERNATIONAL COMPARISONS AND DEMOGRAPHIC INFORMATION.—The Commission may use readily available data to draw appropriate comparisons between the United States communications marketplace and the international communications marketplace and to correlate its assessments with demographic information.
“(4) CONSIDERING SMALL BUSINESSES.—In assessing the state of competition under subsection (b)(1) and regulatory barriers under subsection (b)(3), the Commission shall consider market entry barriers for entrepreneurs and other small businesses in the communications marketplace in accordance with the national policy under section 257(b).

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

SEC. 402. CONSOLIDATION OF REDUNDANT REPORTS; CONFORMING AMENDMENTS.

(a) ORBIT ACT REPORT.—Section 646 of the Communications Satellite Act of 1962 (47 U.S.C. 765e; 114 Stat. 57) is repealed.

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

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

(1) by striking subsection (b); and
(2) by redesignating subsections (c) through (e) as subsections (b) through (d), respectively.

(d) Status of Competition in the Market for the Delivery of Video Programming Report.—Section 628 of the Communications Act of 1934 (47 U.S.C. 548) is amended—

(1) by striking subsection (g);

(2) by redesignating subsection (j) as subsection (g); and

(3) by transferring subsection (g) (as redesignated) so that it appears after subsection (f).

(e) Report on Cable Industry Prices.—

(1) In general.—Section 623 of the Communications Act of 1934 (47 U.S.C. 543) is amended—

(A) by striking subsection (k); and

(B) by redesignating subsections (l) through (o) as subsections (k) through (n), respectively.

(2) Conforming Amendment.—Section 613(a)(3) of the Communications Act of 1934 (47 U.S.C. 533(a)(3)) is amended by striking “623(l)” and inserting “623(k)”.

(f) Triennial Report Identifying and Eliminating Market Entry Barriers for Entrepreneurs and Other Small Businesses.—Section
257 of the Communications Act of 1934 (47 U.S.C. 257) is amended by striking subsection (e).

(g) SECTION 706 REPORT.—Section 706 of the Telecommunications Act of 1996 (47 U.S.C. 1302) is amended—

(1) by amending subsection (b) to read as follows:

“(b) DETERMINATION.—If the Commission determines in its report under section 14 of the Communications Act of 1934, after considering the availability of advanced telecommunications capability to all Americans (including, in particular, elementary and secondary schools and classrooms), that advanced telecommunications capability is not being deployed to all Americans in a reasonable and timely fashion, the Commission shall take immediate action to accelerate deployment of such capability by removing barriers to infrastructure investment and by promoting competition in the telecommunications market.”;

(2) by striking subsection (c);

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

(4) by redesignating subsection (d) as subsection (c).
(h) State of Competitive Market Conditions

With Respect to Commercial Mobile Radio Services.—Section 332(c)(1)(C) of the Communications Act of 1934 (47 U.S.C. 332(c)(1)(C)) is amended by striking the first and second sentences.

(i) Previously Eliminated Annual Report.—

(1) In general.—Section 4 of the Communications Act of 1934 (47 U.S.C. 154) is amended—

(A) by striking subsection (k);

(B) by redesignating subsections (l) through (n) as subsections (k) through (m), respectively; and

(C) by redesignating the first subsection (o) (relating to use of radio and wire communications in connection with safety of life and property) as subsection (n).

(2) Conforming Amendment.—Section 309(j)(8)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(B)) is amended by striking the last sentence.

(j) Additional Outdated Reports.—The Communications Act of 1934 is further amended—

(1) in section 4—

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

and

(B) in subsection (g), by striking paragraph (2);

(2) in section 215—

(A) by striking subsection (b); and

(B) by redesignating subsection (c) as sub-

section (b);

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

(4) in section 309(j)—

(A) by striking paragraph (12); and

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

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

(6) in section 336(e), by amending paragraph

(4) to read as follows:

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

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

(8) in section 396—

(A) by striking subsection (i);

(B) in subsection (k)—
(i) in paragraph (1), by striking sub-
paragraph (F); and

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

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

(D) by striking subsection (m);

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

(10) in section 624A(b)(1)—

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

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

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

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

SEC. 403. EFFECT ON AUTHORITY.

Nothing in this title or the amendments made by this
title shall be construed to expand or contract the authority
of the Commission.
SEC. 404. OTHER REPORTS.

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

TITLE V—ADDITIONAL PROVISIONS

SEC. 501. INDEPENDENT INSPECTOR GENERAL FOR FCC.

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

(1) in section 8G(a)(2), by striking “the Federal Communications Commission,”; and

(2) in section 12—

(A) in paragraph (1), by inserting “, the Federal Communications Commission,” after “the Chairman of the Nuclear Regulatory Commission”; and

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

(b) TRANSITION RULE.—An individual serving as Inspector General of the Commission on the date of the enactment of this Act pursuant to an appointment made under section 8G of the Inspector General Act of 1978 (5 U.S.C. App.)—
(1) may continue so serving until the President makes an appointment under section 3(a) of such Act with respect to the Commission consistent with the amendments made by subsection (a); and

(2) shall, while serving under paragraph (1), remain subject to the provisions of section 8G of such Act which, immediately before the date of the enactment of this Act, applied with respect to the Inspector General of the Commission and suffer no reduction in pay.

**SEC. 502. AUTHORITY OF CHIEF INFORMATION OFFICER.**

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

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

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

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

(b) **CIO APPROVAL.—**The Chief Information Officer of the Commission, in consultation with the Chief Financial Officer of the Commission and budget officials, shall
specify and approve the allocation of amounts appro-
priated to the Commission for information technology,
consistent with the provisions of appropriations Acts,
budget guidelines, and recommendations from the Direc-
tor of the Office of Management and Budget.

SEC. 503. SPOOFING PREVENTION.

(a) Expanding and Clarifying Prohibition on
Misleading or Inaccurate Caller Identification
Information.—

(1) Communications from outside the
United States.—Section 227(e)(1) of the Commu-
nications Act of 1934 (47 U.S.C. 227(e)(1)) is
amended by striking “in connection with any tele-
communications service or IP-enabled voice service”
and inserting “or any person outside the United
States if the recipient is within the United States,
in connection with any voice service or text mes-
saging service”.

(2) Coverage of Text Messages and Voice
Services.—Section 227(e)(8) of the Communi-
cations Act of 1934 (47 U.S.C. 227(e)(8)) is amend-
ed—

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

(B) in the first sentence of subparagraph (B), by striking “telecommunications service or IP-enabled voice service” and inserting “voice service or a text message sent using a text messaging service”; and

(C) by striking subparagraph (C) and inserting the following:

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

“(i) means a message consisting of text, images, sounds, or other information that is transmitted to or from a device that is identified as the receiving or transmitting device by means of a 10-digit telephone number or N11 service code;

“(ii) includes a short message service (commonly referred to as ‘SMS’) message and a multimedia message service (commonly referred to as ‘MMS’) message; and

“(iii) does not include—

“(I) a real-time, two-way voice or video communication; or
“(II) a message sent over an IP-enabled messaging service to another user of the same messaging service, except a message described in clause (ii).

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

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

“(i) means any service that is interconnected with the public switched telephone network and that furnishes voice communications to an end user using resources from the North American Numbering Plan or any successor to the North American Numbering Plan adopted by the Commission under section 251(e)(1); and

“(ii) includes transmissions from a telephone facsimile machine, computer, or other device to a telephone facsimile machine.”.
(3) **TECHNICAL AMENDMENT.**—Section 227(e) of the Communications Act of 1934 (47 U.S.C. 227(e)) is amended in the heading by inserting “MISLEADING OR” before “INACCURATE”.

(4) **REGULATIONS.**—

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

(B) **DEADLINE.**—The Commission shall prescribe regulations to implement the amendments made by this subsection not later than 18 months after the date of enactment of this Act.

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

(b) **CONSUMER EDUCATION MATERIALS ON HOW TO AVOID SCAMS THAT RELY UPON MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.**—

(1) **DEVELOPMENT OF MATERIALS.**—Not later than 1 year after the date of enactment of this Act,
the Commission, in coordination with the Federal Trade Commission, shall develop consumer education materials that provide information about—

(A) ways for consumers to identify scams and other fraudulent activity that rely upon the use of misleading or inaccurate caller identification information; and

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

(2) CONTENTS.—In developing the consumer education materials under paragraph (1), the Commission shall—

(A) identify existing technologies, if any, that can help consumers guard themselves against scams and other fraudulent activity that rely upon the use of misleading or inaccurate caller identification information, including—

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

(ii) details on how consumers can access and use the technologies; and
(B) provide other information that may help consumers identify and avoid scams and other fraudulent activity that rely upon the use of misleading or inaccurate caller identification information.

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

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

(c) GAO Report on Combating the Fraudulent Provision of Misleading or Inaccurate Caller Identification Information.—

(1) In General.—The Comptroller General of the United States shall conduct a study of the actions the Commission and the Federal Trade Commission have taken to combat the fraudulent provision of misleading or inaccurate caller identification information, and the additional measures that could be taken to combat such activity.

(2) Required Considerations.—In conducting the study under paragraph (1), the Comptroller General shall examine—
(A) trends in the types of scams that rely on misleading or inaccurate caller identification information;

(B) previous and current enforcement actions by the Commission and the Federal Trade Commission to combat the practices prohibited by section 227(e)(1) of the Communications Act of 1934 (47 U.S.C. 227(e)(1));

(C) current efforts by industry groups and other entities to develop technical standards to deter or prevent the fraudulent provision of misleading or inaccurate caller identification information, and how such standards may help combat the current and future provision of misleading or inaccurate caller identification information; and

(D) whether there are additional actions the Commission, the Federal Trade Commission, and Congress should take to combat the fraudulent provision of misleading or inaccurate caller identification information.

(3) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Energy and Commerce of the House of Representatives and
the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of
the study under paragraph (1), including any recommendations regarding combating the fraudulent
provision of misleading or inaccurate caller identification information.

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

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

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

SEC. 504. REPORT ON PROMOTING BROADBAND INTERNET ACCESS SERVICE FOR VETERANS.

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

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

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

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

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

SEC. 505. METHODOLOGY FOR COLLECTION OF MOBILE SERVICE COVERAGE DATA.

(a) DEFINITIONS.—In this section—

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

(2) the term “commercial mobile service” has the meaning given the term in section 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d));
(3) the term “coverage data” means, if commercial mobile service or commercial mobile data service is available, general information about the service, which may include available speed tiers, radio frequency signal levels, and network and performance characteristics; and

(4) the term “Universal Service program” means the universal service support mechanisms established under section 254 of the Communications Act of 1934 (47 U.S.C. 254) and the regulations issued under that section.

(b) Methodology Established.—Not later than 180 days after the conclusion of the Mobility Fund Phase II Auction, the Commission shall promulgate regulations to establish a methodology that shall apply to the collection of coverage data by the Commission for the purposes of—

(1) the Universal Service program; or
(2) any other similar program.

c) Requirements.—The methodology established under subsection (b) shall—

(1) contain standard definitions for different available technologies such as 2G, 3G, 4G, and 4G LTE;
enhance the consistency and robustness of how the data are collected by different parties; (3) improve the validity and reliability of coverage data; and (4) increase the efficiency of coverage data collection.

SEC. 506. ACCURACY OF DISPATCHABLE LOCATION FOR 9-1-1 CALLS.

(a) PROCEEDING REQUIRED.—Not later than 18 months after the date of the enactment of this Act, the Commission shall conclude a proceeding to consider adopting rules to ensure that the dispatchable location is conveyed with a 9-1-1 call, regardless of the technological platform used and including with calls from multi-line telephone systems (as defined in section 6502 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1471)).

(b) RELATIONSHIP TO OTHER PROCEEDINGS.—In conducting the proceeding required by subsection (a), the Commission may consider information and conclusions from other Commission proceedings regarding the accuracy of the dispatchable location for a 9-1-1 call, but nothing in this section shall be construed to require the Commission to reconsider any information or conclusion from a proceeding regarding the accuracy of the dispatchable location.
location for a 9-1-1 call in which the Commission has adopted rules or issued an order before the date of the enactment of this Act.

(c) DEFINITIONS.—In this section:

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

(2) DISPATCHABLE LOCATION.—The term “dispatchable location” means the street address of the calling party, and additional information such as room number, floor number, or similar information necessary to adequately identify the location of the calling party.

SEC. 507. NTIA STUDY ON INTERAGENCY PROCESS FOLLOWING CYBERSECURITY INCIDENTS.

(a) IN GENERAL.—The Assistant Secretary of Commerce for Communications and Information shall complete a study on how the National Telecommunications and Information Administration can best coordinate the inter-agency process following cybersecurity incidents.

(b) REPORT TO CONGRESS.—Not later than 18 months after the date of the enactment of this Act, the
Assistant Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the findings and recommendations of the study conducted under subsection (a).

SEC. 508. TRIBAL DIGITAL ACCESS.

(a) TRIBAL BROADBAND DATA REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report evaluating broadband coverage in Indian country (as defined in section 1151 of title 18, United States Code) and on land held by a Native Corporation pursuant to the Alaska Native Claims Settlement Act.

(2) REQUIRED ASSESSMENTS.—The report required by paragraph (1) shall include the following:

(A) An assessment of areas of Indian country (as so defined) and land held by a Native Corporation pursuant to the Alaska Native Claims Settlement Act that have adequate broadband coverage.
(B) An assessment of unserved areas of Indian country (as so defined) and land held by a Native Corporation pursuant to the Alaska Native Claims Settlement Act.

(b) TRIBAL BROADBAND RULEMAKING.—Not later than 30 months after the date of the enactment of this Act, the Commission shall complete a proceeding to address the unserved areas identified in the report under subsection (a).

TITLE VI—VIEWER PROTECTION

SEC. 601. RESERVE SOURCE FOR PAYMENT OF TV BROADCASTER RELOCATION COSTS.

(a) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund to be known as the Broadcast Repack Fund.

(b) AVAILABILITY OF FUNDS.—

(1) IN GENERAL.—If the Commission makes the certification described in paragraph (2), amounts in the Broadcast Repack Fund shall be available to the Commission to make reimbursements pursuant to subsection (b)(4)(A)(i) or (b)(4)(A)(ii) of section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452).

(2) CERTIFICATION.—The certification described in this paragraph is a certification from the
Commission to the Secretary of the Treasury that the funds available in the TV Broadcaster Relocation Fund established under subsection (d) of such section are likely to be insufficient to reimburse reasonably incurred costs described in subsection (b)(4)(A)(i) or (b)(4)(A)(ii) of such section.

(3) Availability for Payments after April 13, 2020.—Notwithstanding subsection (b)(4)(D) of such section, the Commission may make payments pursuant to subsection (b)(4)(A)(i) or (b)(4)(A)(ii) of such section from the Broadcast Repack Fund after April 13, 2020, if, before making any such payments after such date, the Commission submits to Congress a certification that such payments are necessary to reimburse reasonably incurred costs described in such subsection.

(c) Unused Funds Rescinded and Deposited into the General Fund of the Treasury.—

(1) Rescission and Deposit.—If any unobligated amounts remain in the Broadcast Repack Fund after the date described in paragraph (2), such amounts shall be rescinded and deposited into the general fund of the Treasury, where such amounts shall be dedicated for the sole purpose of deficit reduction.
(2) Date Described.—The date described in this paragraph is the earlier of—

(A) the date of a certification by the Commission under paragraph (3) that all reimbursements pursuant to subsections (b)(4)(A)(i) and (b)(4)(A)(ii) of such section 6403 have been made; or

(B) July 3, 2022.

(3) Certification.—If all reimbursements pursuant to subsections (b)(4)(A)(i) and (b)(4)(A)(ii) of such section 6403 have been made before July 3, 2022, the Commission shall submit to the Secretary of the Treasury a certification that all such reimbursements have been made.

(d) Administrative Costs.—The amount of auction proceeds that the salaries and expenses account of the Commission is required to retain under section 309(j)(8)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(B)), including from the proceeds of the forward auction under section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452), shall be sufficient to cover the administrative costs incurred by the Commission in making any reimbursements out of the Broadcast Repack Fund.
SEC. 602. PAYMENT OF RELOCATION COSTS OF TELEVISION TRANSLATOR STATIONS AND LOW POWER TELEVISION STATIONS.

(a) PAYMENT REQUIRED.—

(1) IN GENERAL.—From amounts made available under subsection (b)(2), the Commission shall reimburse costs reasonably incurred by a television translator station or low power television station on or after January 1, 2017, in order for such station to relocate its television service from one channel to another channel or otherwise modify its facility as a result of the reorganization of broadcast television spectrum under subsection (b) of section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452). Only stations that are eligible to file and do file an application in the Commission’s Special Displacement Window are eligible to seek reimbursement under this paragraph.

(2) LIMITATION.—The Commission may not make reimbursements under paragraph (1) for lost revenues.

(3) DUPLICATIVE PAYMENTS PROHIBITED.—In the case of a low power television station that has been accorded primary status as a Class A television licensee under section 73.6001(a) of title 47, Code of Federal Regulations—
(A) if the licensee of such station has received reimbursement with respect to such station under subsection (b)(4)(A)(i) of such section 6403 (including from amounts made available under section 601 of this title), or from any other source, such station may not receive reimbursement under paragraph (1); and

(B) if such station has received reimbursement under paragraph (1), the licensee of such station may not receive reimbursement with respect to such station under subsection (b)(4)(A)(i) of such section 6403.

(4) ADDITIONAL LIMITATION.—The Commission may not make reimbursement under paragraph (1) for costs incurred to resolve mutually exclusive applications, including costs incurred in any auction of available channels.

(b) FUNDING.—

(1) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund to be known as the Translator and Low Power Station Relocation Fund.

(2) AVAILABILITY OF FUNDS.—

(A) IN GENERAL.—Amounts in the Translator and Low Power Station Relocation Fund
shall be available to the Commission to make payments required by subsection (a)(1).

(B) Availability after April 13, 2020.—Amounts in the Translator and Low Power Station Relocation Fund shall not be available to the Commission to make payments required by subsection (a)(1) after April 13, 2020, unless, before making any such payments after such date, the Commission submits to Congress a certification that such payments are necessary to reimburse costs reasonably incurred by a television translator station or low power television station on or after January 1, 2017, in order for such station to relocate its television service from one channel to another channel or otherwise modify its facility as a result of the reorganization of broadcast television spectrum under subsection (b) of section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452).

(3) Unused funds rescinded and deposited into the general fund of the Treasury.—

(A) Rescission and deposit.—If any unobligated amounts remain in the Translator and
Low Power Station Relocation Fund after the
date described in subparagraph (B), such
amounts shall be rescinded and deposited into
the general fund of the Treasury, where such
amounts shall be dedicated for the sole purpose
of deficit reduction.

(B) DATE DESCRIBED.—The date de-
scribed in this subparagraph is the earlier of—

(i) the date of a certification by the
Commission under subparagraph (C) that
all reimbursements pursuant to subsection
(a)(1) have been made; or


(C) CERTIFICATION.—If all reimburse-
ments pursuant to subsection (a)(1) have been
made before July 3, 2023, the Commission
shall submit to the Secretary of the Treasury a
certification that all such reimbursements have
been made.

(e) ADMINISTRATIVE COSTS.—The amount of auc-
tion proceeds that the salaries and expenses account of
the Commission is required to retain under section
309(j)(8)(B) of the Communications Act of 1934 (47
U.S.C. 309(j)(8)(B)), including from the proceeds of the
forward auction under section 6403 of the Middle Class
Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452), shall be sufficient to cover the administrative costs incurred by the Commission in making any reimbursements out of the Translator and Low Power Station Relocation Fund.

(d) DEFINITIONS.—In this section:

(1) LOW POWER TELEVISION STATION.—The term “low power television station” means a low power TV station (as defined in section 74.701 of title 47, Code of Federal Regulations) that was licensed and transmitting for at least 9 of the 12 months prior to April 13, 2017. For purposes of the preceding sentence, the operation of analog and digital companion facilities may be combined.

(2) TELEVISION TRANSLATOR STATION.—The term “television translator station” means a television broadcast translator station (as defined in section 74.701 of title 47, Code of Federal Regulations) that was licensed and transmitting for at least 9 of the 12 months prior to April 13, 2017. For purposes of the preceding sentence, the operation of analog and digital companion facilities may be combined.

SEC. 603. PAYMENT OF RELOCATION COSTS OF FM BROADCAST STATIONS.

(a) PAYMENT REQUIRED.—
(1) IN GENERAL.—From amounts made available under subsection (b)(2), the Commission shall reimburse costs reasonably incurred by an FM broadcast station for facilities necessary for such station to reasonably minimize disruption of service as a result of the reorganization of broadcast television spectrum under subsection (b) of section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452).

(2) LIMITATION.—The Commission may not make reimbursements under paragraph (1) for lost revenues.

(3) Duplicative Payments Prohibited.—If an FM broadcast station has received a payment for interim facilities from the licensee of a television broadcast station that was reimbursed for such payment under subsection (b)(4)(A)(i) of such section 6403 (including from amounts made available under section 601 of this title), or from any other source, such FM broadcast station may not receive any reimbursements under paragraph (1).

(b) FUNDING.—

(1) Establishment of Fund.—There is established in the Treasury of the United States a
fund to be known as the FM Broadcast Station Relocation Fund.

(2) Availability of Funds.—

(A) In General.—Amounts in the FM Broadcast Station Relocation Fund shall be available to the Commission to make payments required by subsection (a)(1).

(B) Availability After April 13, 2020.—Amounts in the FM Broadcast Station Relocation Fund shall not be available to the Commission to make payments required by subsection (a)(1) after April 13, 2020, unless, before making any such payments after such date, the Commission submits to Congress a certification that such payments are necessary to reimburse costs reasonably incurred by an FM broadcast station for facilities necessary for such station to reasonably minimize disruption of service as a result of the reorganization of broadcast television spectrum under subsection (b) of section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452).
(3) Unused funds rescinded and deposited into the general fund of the Treasury.—

(A) Rescission and deposit.—If any unobligated amounts remain in the FM Broadcast Station Relocation Fund after the date described in subparagraph (B), such amounts shall be rescinded and deposited into the general fund of the Treasury, where such amounts shall be dedicated for the sole purpose of deficit reduction.

(B) Date described.—The date described in this subparagraph is the earlier of—

(i) the date of a certification by the Commission under subparagraph (C) that all reimbursements pursuant to subsection (a)(1) have been made; or


(C) Certification.—If all reimbursements pursuant to subsection (a)(1) have been made before July 3, 2022, the Commission shall submit to the Secretary of the Treasury a certification that all such reimbursements have been made.
(c) ADMINISTRATIVE COSTS.—The amount of auction proceeds that the salaries and expenses account of the Commission is required to retain under section 309(j)(8)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(B)), including from the proceeds of the forward auction under section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452), shall be sufficient to cover the administrative costs incurred by the Commission in making any reimbursements out of the FM Broadcast Station Relocation Fund.

(d) FM BROADCAST STATION DEFINED.—In this section, the term “FM broadcast station” has the meaning given such term in section 73.310 of title 47, Code of Federal Regulations.

SEC. 604. CONSUMER EDUCATION PAYMENT.

(a) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund to be known as the Broadcast Station Relocation Consumer Education Fund.

(b) AVAILABILITY OF FUNDS.—Amounts in the Broadcast Station Relocation Consumer Education Fund shall be available to the Commission to make payments solely for the purposes of consumer education relating to the reorganization of broadcast television spectrum under
subsection (b) of section 6403 of the Middle Class Tax

(c) Administrative Costs.—The amount of auction proceeds that the salaries and expenses account of the Commission is required to retain under section 309(j)(8)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(B)), including from the proceeds of the forward auction under section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452), shall be sufficient to cover the administrative costs incurred by the Commission in making any payments out of the Broadcast Station Relocation Consumer Education Fund.

SEC. 605. IMPLEMENTATION AND ENFORCEMENT.

The Commission shall implement and enforce this title as if this title is a part of the Communications Act of 1934 (47 U.S.C. 151 et seq.). A violation of this title, or a regulation promulgated under this title, shall be considered to be a violation of the Communications Act of 1934, or a regulation promulgated under such Act, respectively.
SEC. 606. RULE OF CONSTRUCTION.

Nothing in this title shall alter the final transition phase completion date established by the Commission for full power and Class A television stations.