

**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. 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—SECURING ACCESS TO NETWORKS IN DISASTERS

Sec. 301. Study on network resiliency.

Sec. 302. Access to essential service providers during federally declared emergencies.

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.

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

1 of the Commission \$322,035,000 for each of the fiscal  
2 years 2019 and 2020.

3 “(b) OFFSETTING COLLECTIONS.—

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

9 “(2) DEPOSIT OF COLLECTIONS.—Amounts re-  
10 ceived from fees authorized by section 9 shall be de-  
11 posited as an offsetting collection in, and credited to,  
12 the account through which funds are made available  
13 to carry out the activities described in subsection  
14 (a).

15 “(3) DEPOSIT OF EXCESS COLLECTIONS.—Any  
16 fees collected in excess of the total amount of fees  
17 provided for in Appropriations Acts for a fiscal year  
18 shall be deposited in the general fund of the Treas-  
19 ury of the United States for the sole purpose of def-  
20 icit reduction.”.

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

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

4           (2) in clause (i)—

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

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

11           (3) in clause (ii), by striking “; and” and in-  
12           serting “, and payments representing the return of  
13           such deposits shall not be subject to administrative  
14           offset under section 3716(c) of title 31, United  
15           States Code.”; and

16           (4) by striking clause (iii).

17           (c) ELIMINATION OF DUPLICATIVE AUTHORIZATION  
18           OF APPROPRIATIONS.—

19                 (1) IN GENERAL.—Section 710 of the Tele-  
20                 communications Act of 1996 (Public Law 104–104)  
21                 is repealed.

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

1 (d) TRANSFER OF FUNDS.—On the effective date de-  
2 scribed in section 103, any amounts in the account pro-  
3 viding appropriations to carry out the functions of the  
4 Commission that were collected in excess of the amounts  
5 provided for in Appropriations Acts in any fiscal year prior  
6 to such date shall be transferred to the general fund of  
7 the Treasury of the United States for the sole purpose  
8 of deficit reduction.

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

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

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

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

19 “(b) APPLICATION FEES.—

20 “(1) IN GENERAL.—The Commission shall as-  
21 sess and collect application fees at such rates as the  
22 Commission shall establish in a schedule of applica-  
23 tion fees to recover the costs of the Commission to  
24 process applications.

25 “(2) ADJUSTMENT OF SCHEDULE.—

1           “(A) IN GENERAL.—In every even-num-  
2           bered year, the Commission shall review the  
3           schedule of application fees established under  
4           this subsection and, except as provided in sub-  
5           paragraph (B), set a new amount for each fee  
6           in the schedule that is equal to the amount of  
7           the fee on the date when the fee was established  
8           or the date when the fee was last amended  
9           under paragraph (3), whichever is later—

10                   “(i) increased or decreased by the per-  
11                   centage change in the Consumer Price  
12                   Index during the period beginning on such  
13                   date and ending on the date of the review;  
14                   and

15                   “(ii) rounded to the nearest \$5 incre-  
16                   ment.

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

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

24                   “(ii) in the case of a fee the current  
25                   amount of which is \$200 or more, the ad-

1           justment would result in a change in the  
2           current amount of less than 5 percent.

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

11          “(3) AMENDMENTS.—In addition to the adjust-  
12          ments required by paragraph (2), the Commission  
13          shall by rule amend the schedule of application fees  
14          established under this subsection if the Commission  
15          determines that the schedule requires amendment so  
16          that such fees reflect increases or decreases in the  
17          costs of processing applications at the Commission  
18          and the consolidation or addition of new categories  
19          of applications.

20          “(c) REGULATORY FEES.—

21                 “(1) IN GENERAL.—The Commission shall as-  
22                 sess and collect regulatory fees at such rates as the  
23                 Commission shall establish in a schedule of regu-  
24                 latory fees that will result in the collection, in each

1 fiscal year, of an amount that can reasonably be ex-  
2 pected to equal the difference between—

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

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

8 “(2) ADJUSTMENT OF SCHEDULE.—

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

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

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

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

21 “(3) AMENDMENTS.—In addition to the adjust-  
22 ments required by paragraph (2), the Commission  
23 shall by rule amend the schedule of regulatory fees  
24 established under this subsection if the Commission  
25 determines that the schedule requires amendment so



1 that such fees reflect the full-time equivalent number  
2 of employees within the bureaus and offices of the  
3 Commission, adjusted to take into account factors  
4 that are reasonably related to the benefits provided  
5 to the payor of the fee by the Commission's activi-  
6 ties. In making an amendment under this para-  
7 graph, the Commission may not change the total  
8 amount of regulatory fees required by paragraph (1)  
9 to be collected in a fiscal year.

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

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

15 “(1) of any adjustment under subsection (b)(2)  
16 or (c)(2) immediately upon the adoption of such ad-  
17 justment; and

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

21 “(f) ENFORCEMENT.—

22 “(1) PENALTIES FOR LATE PAYMENT.—The  
23 Commission shall by rule prescribe a penalty for late  
24 payment of fees under this section. Such penalty

1 shall be 25 percent of the amount of the fee that  
2 was not paid in a timely manner.

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

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

15 “(4) REVOCATIONS.—

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

23 “(B) NOTICE.—Revocation action may be  
24 taken by the Commission under this paragraph  
25 after notice of the Commission’s intent to take

1 such action is sent to the licensee by registered  
2 mail, return receipt requested, at the licensee's  
3 last known address. The notice shall provide the  
4 licensee at least 30 days to either pay the fee,  
5 interest, and any penalty or show cause why the  
6 fee, interest, or penalty does not apply to the li-  
7 censee or should otherwise be waived or pay-  
8 ment deferred.

9 “(C) HEARING.—

10 “(i) GENERALLY NOT REQUIRED.—A  
11 hearing is not required under this para-  
12 graph unless the licensee's response pre-  
13 sents a substantial and material question  
14 of fact.

15 “(ii) EVIDENCE AND BURDENS.—In  
16 any case where a hearing is conducted  
17 under this paragraph, the hearing shall be  
18 based on written evidence only, and the  
19 burden of proceeding with the introduction  
20 of evidence and the burden of proof shall  
21 be on the licensee.

22 “(iii) COSTS.—Unless the licensee  
23 substantially prevails in the hearing, the  
24 Commission may assess the licensee for the  
25 costs of such hearing.

1           “(D) OPPORTUNITY TO PAY PRIOR TO  
2           REVOCATION.—Any Commission order adopted  
3           under this paragraph shall determine the  
4           amount due, if any, and provide the licensee  
5           with at least 30 days to pay that amount or  
6           have its authorization revoked.

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

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

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

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

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

23          “(i) EXCEPTIONS.—

24                 “(1) PARTIES TO WHICH FEES ARE NOT APPLI-  
25                 CABLE.—

1           “(A) APPLICATION FEES.—The application  
2 fees established under this section shall not be  
3 applicable to—

4           “(i) a governmental entity;

5           “(ii) a nonprofit entity licensed in the  
6 Local Government, Police, Fire, Highway  
7 Maintenance, Forestry-Conservation, Pub-  
8 lic Safety, or Special Emergency Radio  
9 service; or

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

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

15           “(i) a governmental entity or non-  
16 profit entity;

17           “(ii) an amateur radio operator li-  
18 censee under part 97 of the Commission’s  
19 rules (47 C.F.R. part 97); or

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

22           “(2) COST OF COLLECTION.—

23           “(A) APPLICATION FEES.—If, in the judg-  
24 ment of the Commission, the cost of collecting  
25 an application fee established under this section

1           would exceed the amount collected, the Commis-  
2           sion may by rule eliminate such fee.

3           “(B) REGULATORY FEES.—If, in the judg-  
4           ment of the Commission, the cost of collecting  
5           a regulatory fee established under this section  
6           from a party would exceed the amount collected  
7           from such party, the Commission may exempt  
8           such party from paying such fee.

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

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

14                 (1) by repealing section 8; and

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

19          (c) TRANSITIONAL RULES.—

20                 (1) APPLICATION FEES.—An application fee es-  
21                 tablished under section 8 of the Communications Act  
22                 of 1934, as such section is in effect on the day be-  
23                 fore the effective date described in section 103 of  
24                 this Act, shall remain in effect under subsection (b)  
25                 of section 9 of the Communications Act of 1934, as

1 amended by subsection (a) of this section, until such  
2 time as the Commission adjusts or amends such fee  
3 under subsection (b)(2) or (b)(3) of such section 9,  
4 as so amended.

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

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

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

23 (2) REPORT TO CONGRESS.—If the Commission  
24 has not completed the rulemaking proceeding re-  
25 quired by paragraph (1) by the date that is 6

1 months after the effective date described in section  
2 103, the Commission shall submit to Congress a re-  
3 port on the progress of such rulemaking proceeding.

4 **SEC. 103. EFFECTIVE DATE.**

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

7 **TITLE II—FCC PROCESS**  
8 **REFORM**

9 **SEC. 201. FCC PROCESS REFORM.**

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

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

14 **“(a) INITIAL RULEMAKING AND INQUIRY.—**

15 **“(1) RULEMAKING.—**Not later than 1 year  
16 after the date of the enactment of this section, the  
17 Commission shall complete a rulemaking proceeding  
18 and adopt procedural changes to its rules to maxi-  
19 mize opportunities for public participation and effi-  
20 cient decisionmaking.

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

23 **“(A)** set minimum comment periods for  
24 comment and reply comment, subject to a de-  
25 termination by the Commission that good cause



1 exists for departing from such minimum com-  
2 ment periods, for—

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

5 “(ii) all other rulemaking proceedings;

6 “(B) establish policies concerning the sub-  
7 mission of extensive new comments, data, or re-  
8 ports towards the end of the comment period in  
9 the proceedings described in clauses (i) and (ii)  
10 of subparagraph (A);

11 “(C) establish policies regarding treatment  
12 of comments, ex parte communications, and  
13 data or reports (including statistical reports  
14 and reports to Congress) submitted after the  
15 comment period in the proceedings described in  
16 clauses (i) and (ii) of subparagraph (A) to en-  
17 sure that the public has adequate notice of and  
18 opportunity to respond to such submissions be-  
19 fore the Commission relies on such submissions  
20 in any order, decision, report, or action;

21 “(D) establish procedures for, not later  
22 than 14 days after the end of each quarter of  
23 a calendar year (or more frequently, as the  
24 Commission considers appropriate), publishing

1 on the Internet website of the Commission and  
2 submitting to Congress a report that contains—

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

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

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

22 “(II) information regarding the  
23 amount of time for which such re-  
24 quests have been pending, broken

1 down as described in subclause (I);  
2 and

3 “(iii) a list of the congressional inves-  
4 tigations of the Commission that were  
5 pending on the last day of such quarter (or  
6 more frequent period, as the case may be)  
7 and the cost of such investigations, individ-  
8 ually and in the aggregate;

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

11 “(i) in the case of a petition for a de-  
12 claratory ruling under section 1.2 of title  
13 47, Code of Federal Regulations, issuing a  
14 public notice of such petition;

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

19 “(iii) in the case of a petition for re-  
20 consideration under section 1.106 or 1.429  
21 of such title or an application for review  
22 under section 1.115 of such title, issuing a  
23 public notice of a decision on the petition  
24 or application by the Commission or under  
25 delegated authority (as the case may be);

1           “(F) establish guidelines (relative to the  
2           date of filing) for the disposition of petitions  
3           filed under section 1.2 of such title;

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

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

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

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

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

22           “(II) a finding that existing per-  
23           formance measures will effectively  
24           evaluate the program activity as  
25           changed (or proposed to be changed).

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

5                   “(A) establish procedures for allowing a bi-  
6                   partisan majority of Commissioners to place an  
7                   order, decision, report, or action on the agenda  
8                   of an open meeting;

9                   “(B) establish procedures for informing all  
10                  Commissioners of a reasonable number of op-  
11                  tions available to the Commission for resolving  
12                  a petition, complaint, application, rulemaking,  
13                  or other proceeding;

14                  “(C) establish procedures for ensuring that  
15                  all Commissioners have adequate time, prior to  
16                  being required to decide a petition, complaint,  
17                  application, rulemaking, or other proceeding  
18                  (including at a meeting held pursuant to section  
19                  5(d)), to review the proposed Commission deci-  
20                  sion document, including the specific language  
21                  of any proposed rule or any proposed amend-  
22                  ment of an existing rule;

23                  “(D) establish procedures for publishing  
24                  the text of agenda items to be voted on at an  
25                  open meeting in advance of such meeting so

1           that the public has the opportunity to read the  
2           text before a vote is taken;

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

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

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

18          “(4) DATA FOR PERFORMANCE MEASURES.—  
19          The Commission shall develop a performance meas-  
20          ure or proposed performance measure required by  
21          this subsection to rely, where possible, on data al-  
22          ready collected by the Commission.

23          “(5) GAO AUDIT.—Not less frequently than  
24          every 6 months, the Comptroller General of the  
25          United States shall audit the cost estimates provided

1 by the Commission under paragraph (2)(D)(iii) dur-  
2 ing the preceding 6-month period.

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

10 “(c) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

11 “(1) IN GENERAL.—Notwithstanding section  
12 552b of title 5, United States Code, a bipartisan  
13 majority of Commissioners may hold a meeting that  
14 is closed to the public to discuss official business  
15 if—

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

18 “(B) each person present at such meeting  
19 is a Commissioner, an employee of the Commis-  
20 sion, a member of a joint board or conference  
21 established under section 410, or a person on  
22 the staff of such a joint board or conference or  
23 of a member of such a joint board or con-  
24 ference; and

1           “(C) an attorney from the Office of Gen-  
2           eral Counsel of the Commission is present at  
3           such meeting.

4           “(2) DISCLOSURE OF NONPUBLIC COLLABO-  
5           RATIVE DISCUSSIONS.—Not later than 2 business  
6           days after the conclusion of a meeting held under  
7           paragraph (1), the Commission shall publish a dis-  
8           closure of such meeting, including—

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

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

15          “(3) PRESERVATION OF OPEN MEETINGS RE-  
16          QUIREMENTS FOR AGENCY ACTION.—Nothing in this  
17          subsection shall limit the applicability of section  
18          552b of title 5, United States Code, with respect to  
19          a meeting of Commissioners other than that de-  
20          scribed in paragraph (1).

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

24          “(1) detailed information regarding—



1           “(A) the budget of the Commission for the  
2           current fiscal year;

3           “(B) the appropriations for the Commis-  
4           sion for such fiscal year; and

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

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

10          “(e) INTERNET PUBLICATION OF CERTAIN FCC  
11          POLICIES AND PROCEDURES.—The chairman of the Com-  
12          mission shall—

13                 “(1) publish on the Internet website of the  
14                 Commission any policies or procedures of the Com-  
15                 mission that—

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

17                         “(B) relate to the functioning of the Com-  
18                         mission or the handling of the agenda of the  
19                         Commission; and

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

23          “(f) FEDERAL REGISTER PUBLICATION.—

24                 “(1) IN GENERAL.—In the case of any docu-  
25                 ment adopted by the Commission that the Commis-

1 sion is required, under any provision of law, to pub-  
2 lish in the Federal Register, the Commission shall,  
3 not later than the date described in paragraph (2),  
4 complete all Commission actions necessary for such  
5 document to be so published.

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

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

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

13 “(3) NO EFFECT ON DEADLINES FOR PUBLICA-  
14 TION IN OTHER FORM.—In the case of a deadline  
15 that does not specify that the form of publication is  
16 publication in the Federal Register, the Commission  
17 may comply with such deadline by publishing the  
18 document in another form. Such other form of publi-  
19 cation does not relieve the Commission of any Fed-  
20 eral Register publication requirement applicable to  
21 such document, including the requirement of para-  
22 graph (1).

23 “(g) CONSUMER COMPLAINT DATABASE.—

24 “(1) IN GENERAL.—In evaluating and proc-  
25 essing consumer complaints, the Commission shall

1 present information about such complaints in a pub-  
2 licly available, searchable database on its website  
3 that—

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

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

7 “(i) the date of the filing of the com-  
8 plaint;

9 “(ii) the topic of the complaint;

10 “(iii) the party complained of; and

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

13 “(2) DUPLICATIVE COMPLAINTS.—In the case  
14 of multiple complaints arising from the same alleged  
15 misconduct, the Commission shall be required to in-  
16 clude only information concerning one such com-  
17 plaint in the database described in paragraph (1)  
18 and shall take any other steps the Commission finds  
19 prudent to avoid publishing inaccurate or misleading  
20 data.

21 “(h) FORM OF PUBLICATION.—

22 “(1) IN GENERAL.—In complying with a re-  
23 quirement of this section to publish a document, the  
24 Commission shall publish such document on its  
25 website, in addition to publishing such document in

1 any other form that the Commission is required to  
2 use or is permitted to and chooses to use.

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

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

12 “(B) information that is proprietary or  
13 confidential.

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

21 “(1) Publishing on the Commission’s website  
22 the Commission’s logs for tracking, responding to,  
23 and managing requests submitted under such sec-  
24 tion, including the Commission’s fee estimates, fee  
25 categories, and fee request determinations.

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

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

10           “(4) Presenting information about the Commis-  
11           sion’s handling of requests under such section in the  
12           Commission’s annual budget estimates submitted to  
13           Congress and the Commission’s annual performance  
14           and financial reports. Such information shall include  
15           the number of requests under such section the Com-  
16           mission received in the most recent fiscal year, the  
17           number of such requests granted and denied, a com-  
18           parison of the Commission’s processing of such re-  
19           quests over at least the previous 3 fiscal years, and  
20           a comparison of the Commission’s results with the  
21           most recent average for the United States Govern-  
22           ment as published on [www.foia.gov](http://www.foia.gov).

23           “(j) PROMPT RELEASE OF STATISTICAL REPORTS  
24           AND REPORTS TO CONGRESS.—Not later than January  
25           15th of each year, the Commission shall identify, catalog,

1 and publish an anticipated release schedule for all statis-  
2 tical reports and reports to Congress that are regularly  
3 or intermittently released by the Commission and will be  
4 released during such year.

5 “(k) ANNUAL SCORECARD REPORTS.—

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

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

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

19 “(i) the number of filings that were  
20 pending on the last day of the period cov-  
21 ered by such report;

22 “(ii) the number of filings described  
23 in clause (i) for which each applicable  
24 deadline or guideline established under  
25 such subsection was not met and the aver-

1           age length of time such filings have been  
2           pending; and

3           “(iii) for filings that were resolved  
4           during such period, the average time be-  
5           tween initiation and resolution and the  
6           percentage for which each applicable dead-  
7           line or guideline established under such  
8           subsection was met;

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

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

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

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

18          “(3) PUBLICATION AND SUBMISSION.—The  
19          Commission shall publish and submit to the Com-  
20          mittee on Energy and Commerce of the House of  
21          Representatives and the Committee on Commerce,  
22          Science, and Transportation of the Senate each re-  
23          port required by paragraph (1) not later than the  
24          date that is 30 days after the last day of the period  
25          covered by such report.

1 “(1) DEFINITIONS.—In this section:

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

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

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

10 “(B) includes, for each political party of  
11 which any Commissioner is a member, at least  
12 one Commissioner who is a member of such po-  
13 litical party, and, if any Commissioner has no  
14 political party affiliation, at least one unaffili-  
15 ated Commissioner.

16 “(3) PERFORMANCE MEASURE.—The term ‘per-  
17 formance measure’ means an objective and quantifi-  
18 able outcome measure or output measure (as such  
19 terms are defined in section 1115 of title 31, United  
20 States Code).

21 “(4) PROGRAM ACTIVITY.—The term ‘program  
22 activity’ has the meaning given such term in section  
23 1115 of title 31, United States Code, except that  
24 such term also includes any annual collection or dis-  
25 tribution or related series of collections or distribu-



1           tions by the Commission of an amount that is great-  
2           er than or equal to \$100,000,000.

3           “(5) OTHER DEFINITIONS.—The terms ‘agency  
4           action’, ‘ex parte communication’, and ‘rule’ have  
5           the meanings given such terms in section 551 of title  
6           5, United States Code.”.

7           (b) EFFECTIVE DATES AND IMPLEMENTING  
8           RULES.—

9           (1) EFFECTIVE DATES.—

10           (A) NONPUBLIC COLLABORATIVE DISCUS-  
11           SIONS.—Subsection (c) of section 13 of the  
12           Communications Act of 1934, as added by sub-  
13           section (a), shall apply beginning on the first  
14           date on which all of the procedural changes to  
15           the rules of the Commission required by sub-  
16           section (a)(1) of such section have taken effect.

17           (B) REPORT RELEASE SCHEDULES.—Sub-  
18           section (j) of such section 13 shall apply with  
19           respect to 2019 and any year thereafter.

20           (C) ANNUAL SCORECARD REPORTS.—Sub-  
21           section (k) of such section 13 shall apply with  
22           respect to 2018 and any year thereafter.

23           (D) INTERNET PUBLICATION OF CERTAIN  
24           FCC POLICIES AND PROCEDURES.—Subsection  
25           (e) of such section 13 shall apply beginning on

1           the date that is 30 days after the date of the  
2           enactment of this Act.

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

8   **SEC. 202. CATEGORIZATION OF TCPA INQUIRIES AND COM-**  
9                           **PLAINTS IN QUARTERLY REPORT.**

10          In compiling its quarterly report with respect to in-  
11         formal consumer inquiries and complaints, the Commis-  
12         sion may not categorize an inquiry or complaint with re-  
13         spect to section 227 of the Communications Act of 1934  
14         (47 U.S.C. 227) as being a wireline inquiry or complaint  
15         or a wireless inquiry or complaint unless the party whose  
16         conduct is the subject of the inquiry or complaint is a  
17         wireline carrier or a wireless carrier, respectively.

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

19          Nothing in this title or the amendments made by this  
20         title shall relieve the Commission from any obligations  
21         under title 5, United States Code, except where otherwise  
22         expressly provided.

1 **SEC. 204. APPLICATION OF ANTIDEFICIENCY ACT TO UNI-**  
2 **VERSAL SERVICE PROGRAM.**

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

6 **SEC. 205. REPORT ON IMPROVING SMALL BUSINESS PAR-**  
7 **TICIPATION IN FCC PROCEEDINGS.**

8 Not later than 1 year after the date of the enactment  
9 of this Act, the Commission, in consultation with the Ad-  
10 ministrator of the Small Business Administration, shall  
11 submit to Congress a report on—

12 (1) actions that the Commission will take to im-  
13 prove the participation of small businesses in the  
14 proceedings of the Commission; and

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

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

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

23 “(o) In the case of any item that is adopted by vote  
24 of the Commission, the Commission shall publish on the  
25 Internet website of the Commission the text of such item  
26 not later than 7 days after the Secretary of the Commis-

1 sion has received dissenting statements from all Commis-  
2 sioners wishing to submit such a statement with respect  
3 to such item.”.

4 (b) EFFECTIVE DATE.—The amendment made by  
5 this section shall apply with respect to an item that is  
6 adopted after the date that is 30 days after the date of  
7 the enactment of this Act.

## 8 **TITLE III—SECURING ACCESS TO** 9 **NETWORKS IN DISASTERS**

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

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

16 (1) making telecommunications service pro-  
17 vider-owned WiFi access points, and other commu-  
18 nications technologies operating on unlicensed spec-  
19 trum, available to the general public for access to 9–  
20 1–1 services, without requiring any login credentials,  
21 during times of emergency when mobile service is  
22 unavailable;

23 (2) the provision by non-telecommunications  
24 service provider-owned WiFi access points of public

1 access to 9–1–1 services during times of emergency  
2 when mobile service is unavailable; and

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

6 **SEC. 302. ACCESS TO ESSENTIAL SERVICE PROVIDERS DUR-**  
7 **ING FEDERALLY DECLARED EMERGENCIES.**

8 Section 427(a) of the Robert T. Stafford Disaster Re-  
9 lief and Emergency Assistance Act (42 U.S.C. 5189e(a))  
10 is amended—

11 (1) in paragraph (1)—

12 (A) in subparagraph (A), by striking “tele-  
13 communications service” and inserting “wireline  
14 or mobile telephone service, Internet access  
15 service, radio or television broadcasting, cable  
16 service, or direct broadcast satellite service”;

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

19 (C) by redesignating subparagraphs (A)  
20 through (E) as clauses (i) through (v), respec-  
21 tively; and

22 (D) by adding at the end the following:

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

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

1 **SEC. 303. DEFINITIONS.**

2 As used in this title—

3 (1) the term “mobile service” means commer-  
4 cial mobile service (as defined in section 332 of the  
5 Communications Act of 1934 (47 U.S.C. 332)) or  
6 commercial mobile data service (as defined in section  
7 6001 of the Middle Class Tax Relief and Job Cre-  
8 ation Act of 2012 (47 U.S.C. 1401));

9 (2) the term “WiFi access point” means wire-  
10 less Internet access using the standard designated as  
11 802.11 or any variant thereof; and

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

18 **TITLE IV—FCC CONSOLIDATED**  
19 **REPORTING**

20 **SEC. 401. COMMUNICATIONS MARKETPLACE REPORT.**

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

24 **“SEC. 14. COMMUNICATIONS MARKETPLACE REPORT.**

25 “(a) IN GENERAL.—In the last quarter of every even-  
26 numbered year, the Commission shall publish on its

1 website and submit to the Committee on Energy and Com-  
2 merce of the House of Representatives and the Committee  
3 on Commerce, Science, and Transportation of the Senate  
4 a report on the state of the communications marketplace.

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

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

17 “(2) assess the state of deployment of commu-  
18 nications capabilities, including advanced tele-  
19 communications capability (as defined in section 706  
20 of the Telecommunications Act of 1996 (47 U.S.C.  
21 1302)), regardless of the technology used for such  
22 deployment, including whether advanced tele-  
23 communications capability is being deployed to all  
24 Americans in a reasonable and timely fashion;

1           “(3) assess whether laws, regulations, or regu-  
2           latory practices (whether those of the Federal Gov-  
3           ernment, States, political subdivisions of States, In-  
4           dian tribes or tribal organizations (as such terms are  
5           defined in section 4 of the Indian Self-Determination  
6           and Education Assistance Act (25 U.S.C. 5304)), or  
7           foreign governments) pose a barrier to competitive  
8           entry into the communications marketplace or to the  
9           competitive expansion of existing providers of com-  
10          munications services;

11          “(4) describe the agenda of the Commission for  
12          the next 2-year period for addressing the challenges  
13          and opportunities in the communications market-  
14          place that were identified through the assessments  
15          under paragraphs (1) through (3); and

16          “(5) describe the actions that the Commission  
17          has taken in pursuit of the agenda described pursu-  
18          ant to paragraph (4) in the previous report sub-  
19          mitted under this section.

20          “(c) EXTENSION.—If the President designates a  
21          Commissioner as Chairman of the Commission during the  
22          last quarter of an even-numbered year, the portion of the  
23          report required by subsection (b)(4) may be published on  
24          the website of the Commission and submitted to the Com-  
25          mittee on Energy and Commerce of the House of Rep-



1 representatives and the Committee on Commerce, Science,  
2 and Transportation of the Senate as an addendum during  
3 the first quarter of the following odd-numbered year.

4 “(d) SPECIAL REQUIREMENTS.—

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

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

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

1           “(4) CONSIDERING SMALL BUSINESSES.—In as-  
2           sessing the state of competition under subsection  
3           (b)(1) and regulatory barriers under subsection  
4           (b)(3), the Commission shall consider market entry  
5           barriers for entrepreneurs and other small busi-  
6           nesses in the communications marketplace in accord-  
7           ance with the national policy under section 257(b).

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

15 **SEC. 402. CONSOLIDATION OF REDUNDANT REPORTS; CON-**  
16 **FORMING AMENDMENTS.**

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

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

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

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

1           (2) by redesignating subsections (e) through (e)  
2           as subsections (b) through (d), respectively.

3           (d) STATUS OF COMPETITION IN THE MARKET FOR  
4 THE DELIVERY OF VIDEO PROGRAMMING REPORT.—Sec-  
5 tion 628 of the Communications Act of 1934 (47 U.S.C.  
6 548) is amended—

7           (1) by striking subsection (g);

8           (2) by redesignating subsection (j) as sub-  
9           section (g); and

10           (3) by transferring subsection (g) (as redesign-  
11           ated) so that it appears after subsection (f).

12           (e) REPORT ON CABLE INDUSTRY PRICES.—

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

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

16           (B) by redesignating subsections (l)  
17           through (o) as subsections (k) through (n), re-  
18           spectively.

19           (2) CONFORMING AMENDMENT.—Section  
20           613(a)(3) of the Communications Act of 1934 (47  
21           U.S.C. 533(a)(3)) is amended by striking “623(l)”  
22           and inserting “623(k)”.

23           (f) TRIENNIAL REPORT IDENTIFYING AND ELIMI-  
24           NATING MARKET ENTRY BARRIERS FOR ENTRE-  
25           PRENEURS AND OTHER SMALL BUSINESSES.—Section

1 257 of the Communications Act of 1934 (47 U.S.C. 257)  
2 is amended by striking subsection (c).

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

6 (1) by amending subsection (b) to read as fol-  
7 lows:

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

20 (2) by striking subsection (c);

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

23 (4) by redesignating subsection (d) as sub-  
24 section (c).

1 (h) STATE OF COMPETITIVE MARKET CONDITIONS  
2 WITH RESPECT TO COMMERCIAL MOBILE RADIO SERV-  
3 ICES.—Section 332(c)(1)(C) of the Communications Act  
4 of 1934 (47 U.S.C. 332(c)(1)(C)) is amended by striking  
5 the first and second sentences.

6 (i) PREVIOUSLY ELIMINATED ANNUAL REPORT.—

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

9 (A) by striking subsection (k);

10 (B) by redesignating subsections (l)  
11 through (n) as subsections (k) through (m), re-  
12 spectively; and

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

17 (2) CONFORMING AMENDMENT.—Section  
18 309(j)(8)(B) of the Communications Act of 1934  
19 (47 U.S.C. 309(j)(8)(B)) is amended by striking the  
20 last sentence.

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

23 (1) in section 4—

24 (A) in subsection (b)(2)(B)(ii), by striking  
25 “and shall furnish notice of such action” and

- 1 all that follows through “subject of the waiver”;
- 2 and
- 3 (B) in subsection (g), by striking para-
- 4 graph (2);
- 5 (2) in section 215—
- 6 (A) by striking subsection (b); and
- 7 (B) by redesignating subsection (c) as sub-
- 8 section (b);
- 9 (3) in section 227(e), by striking paragraph (4);
- 10 (4) in section 309(j)—
- 11 (A) by striking paragraph (12); and
- 12 (B) in paragraph (15)(C), by striking
- 13 clause (iv);
- 14 (5) in section 331(b), by striking the last sen-
- 15 tence;
- 16 (6) in section 336(e), by amending paragraph
- 17 (4) to read as follows:
- 18 “(4) REPORT.—The Commission shall annually
- 19 advise the Congress on the amounts collected pursu-
- 20 ant to the program required by this subsection.”;
- 21 (7) in section 339(e), by striking paragraph (1);
- 22 (8) in section 396—
- 23 (A) by striking subsection (i);
- 24 (B) in subsection (k)—

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

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

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

8 (D) by striking subsection (m);

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

11 (10) in section 624A(b)(1)—

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

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

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

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

22 **SEC. 403. EFFECT ON AUTHORITY.**

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

1 **SEC. 404. 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 V—ADDITIONAL**  
7 **PROVISIONS**

8 **SEC. 501. 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. 502. 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. 503. SPOOFING PREVENTION.**

7 (a) EXPANDING AND CLARIFYING PROHIBITION ON  
8 MISLEADING OR INACCURATE CALLER IDENTIFICATION  
9 INFORMATION.—

10 (1) COMMUNICATIONS FROM OUTSIDE THE  
11 UNITED STATES.—Section 227(e)(1) of the Commu-  
12 nications Act of 1934 (47 U.S.C. 227(e)(1)) is  
13 amended by striking “in connection with any tele-  
14 communications service or IP-enabled voice service”  
15 and inserting “or any person outside the United  
16 States if the recipient is within the United States,  
17 in connection with any voice service or text mes-  
18 saging service”.

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

23 (A) in subparagraph (A), by striking “tele-  
24 communications service or IP-enabled voice

1 service” and inserting “voice service or a text  
2 message sent using a text messaging service”;

3 (B) in the first sentence of subparagraph  
4 (B), by striking “telecommunications service or  
5 IP-enabled voice service” and inserting “voice  
6 service or a text message sent using a text mes-  
7 saging service”; and

8 (C) by striking subparagraph (C) and in-  
9 serting the following:

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

12 “(i) means a message consisting of  
13 text, images, sounds, or other information  
14 that is transmitted to or from a device that  
15 is identified as the receiving or transmit-  
16 ting device by means of a 10-digit tele-  
17 phone number or N11 service code;

18 “(ii) includes a short message service  
19 (commonly referred to as ‘SMS’) message  
20 and a multimedia message service (com-  
21 monly referred to as ‘MMS’) message; and

22 “(iii) does not include—

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

1                   “(II) a message sent over an IP-  
2                   enabled messaging service to another  
3                   user of the same messaging service,  
4                   except a message described in clause  
5                   (ii).

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

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

13                         “(i) means any service that is inter-  
14                         connected with the public switched tele-  
15                         phone network and that furnishes voice  
16                         communications to an end user using re-  
17                         sources from the North American Num-  
18                         bering Plan or any successor to the North  
19                         American Numbering Plan adopted by the  
20                         Commission under section 251(e)(1); and

21                         “(ii) includes transmissions from a  
22                         telephone facsimile machine, computer, or  
23                         other device to a telephone facsimile ma-  
24                         chine.”.

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

5           (4) REGULATIONS.—

6           (A) IN GENERAL.—Section 227(e)(3)(A) of  
7 the Communications Act of 1934 (47 U.S.C.  
8 227(e)(3)(A)) is amended by striking “Not  
9 later than 6 months after the date of enactment  
10 of the Truth in Caller ID Act of 2009, the  
11 Commission” and inserting “The Commission”.

12           (B) DEADLINE.—The Commission shall  
13 prescribe regulations to implement the amend-  
14 ments made by this subsection not later than  
15 18 months after the date of enactment of this  
16 Act.

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

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

24           (1) DEVELOPMENT OF MATERIALS.—Not later  
25 than 1 year after the date of enactment of this Act,

1 the Commission, in coordination with the Federal  
2 Trade Commission, shall develop consumer edu-  
3 cation materials that provide information about—

4 (A) ways for consumers to identify scams  
5 and other fraudulent activity that rely upon the  
6 use of misleading or inaccurate caller identifica-  
7 tion information; and

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

11 (2) CONTENTS.—In developing the consumer  
12 education materials under paragraph (1), the Com-  
13 mission shall—

14 (A) identify existing technologies, if any,  
15 that can help consumers guard themselves  
16 against scams and other fraudulent activity  
17 that rely upon the use of misleading or inac-  
18 curate caller identification information, includ-  
19 ing—

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

24 (ii) details on how consumers can ac-  
25 cess and use the technologies; and

1 (B) provide other information that may  
2 help consumers identify and avoid scams and  
3 other fraudulent activity that rely upon the use  
4 of misleading or inaccurate caller identification  
5 information.

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

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

12 (c) GAO REPORT ON COMBATING THE FRAUDULENT  
13 PROVISION OF MISLEADING OR INACCURATE CALLER  
14 IDENTIFICATION INFORMATION.—

15 (1) IN GENERAL.—The Comptroller General of  
16 the United States shall conduct a study of the ac-  
17 tions the Commission and the Federal Trade Com-  
18 mission have taken to combat the fraudulent provi-  
19 sion of misleading or inaccurate caller identification  
20 information, and the additional measures that could  
21 be taken to combat such activity.

22 (2) REQUIRED CONSIDERATIONS.—In con-  
23 ducting the study under paragraph (1), the Comp-  
24 troller General shall examine—

1 (A) trends in the types of scams that rely  
2 on misleading or inaccurate caller identification  
3 information;

4 (B) previous and current enforcement ac-  
5 tions by the Commission and the Federal Trade  
6 Commission to combat the practices prohibited  
7 by section 227(e)(1) of the Communications Act  
8 of 1934 (47 U.S.C. 227(e)(1));

9 (C) current efforts by industry groups and  
10 other entities to develop technical standards to  
11 deter or prevent the fraudulent provision of  
12 misleading or inaccurate caller identification in-  
13 formation, and how such standards may help  
14 combat the current and future provision of mis-  
15 leading or inaccurate caller identification infor-  
16 mation; and

17 (D) whether there are additional actions  
18 the Commission, the Federal Trade Commis-  
19 sion, and Congress should take to combat the  
20 fraudulent provision of misleading or inaccurate  
21 caller identification information.

22 (3) REPORT.—Not later than 18 months after  
23 the date of enactment of this Act, the Comptroller  
24 General shall submit to the Committee on Energy  
25 and Commerce of the House of Representatives and



1 the Committee on Commerce, Science, and Trans-  
2 portation of the Senate a report on the findings of  
3 the study under paragraph (1), including any rec-  
4 ommendations regarding combating the fraudulent  
5 provision of misleading or inaccurate caller identi-  
6 fication information.

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

11 (1) the Telephone Consumer Protection Act of  
12 1991 (Public Law 102–243; 105 Stat. 2394) or the  
13 amendments made by that Act; or

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

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

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

21 (b) **REPORT REQUIRED.**—Not later than 1 year after  
22 the date of the enactment of this Act, the Commission  
23 shall submit to Congress a report on promoting broadband  
24 Internet access service for veterans, in particular low-in-

1 come veterans and veterans residing in rural areas. In  
2 such report, the Commission shall—

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

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

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

15 **SEC. 505. METHODOLOGY FOR COLLECTION OF MOBILE**  
16 **SERVICE COVERAGE DATA.**

17 (a) DEFINITIONS.—In this section—

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

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

1           (3) the term “coverage data” means, if com-  
2           mercial mobile service or commercial mobile data  
3           service is available, general information about the  
4           service, which may include available speed tiers,  
5           radio frequency signal levels, and network and per-  
6           formance characteristics; and

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

12          (b) **METHODOLOGY ESTABLISHED.**—Not later than  
13          180 days after the conclusion of the Mobility Fund Phase  
14          II Auction, the Commission shall promulgate regulations  
15          to establish a methodology that shall apply to the collec-  
16          tion of coverage data by the Commission for the purposes  
17          of—

18                 (1) the Universal Service program; or

19                 (2) any other similar program.

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

22                 (1) contain standard definitions for different  
23                 available technologies such as 2G, 3G, 4G, and 4G  
24                 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. 506. ACCURACY OF DISPATCHABLE LOCATION FOR 9-**  
8 **1-1 CALLS.**

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 the dispatchable location 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 the dispatchable location for a 9-1-1 call, but noth-  
23 ing in this section shall be construed to require the Com-  
24 mission to reconsider any information or conclusion from  
25 a proceeding regarding the accuracy of the dispatchable

1 location for a 9-1-1 call in which the Commission has  
2 adopted rules or issued an order before the date of the  
3 enactment of this Act.

4 (c) DEFINITIONS.—In this section:

5 (1) 9-1-1 CALL.—The term “9-1-1 call” means  
6 a voice call that is placed, or a message that is sent  
7 by other means of communication, to a public safety  
8 answering point (as defined in section 222 of the  
9 Communications Act of 1934 (47 U.S.C. 222)) for  
10 the purpose of requesting emergency services.

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

17 **SEC. 507. NTIA STUDY ON INTERAGENCY PROCESS FOL-**  
18 **LOWING CYBERSECURITY INCIDENTS.**

19 (a) IN GENERAL.—The Assistant Secretary of Com-  
20 merce for Communications and Information shall complete  
21 a study on how the National Telecommunications and In-  
22 formation Administration can best coordinate the inter-  
23 agency process following cybersecurity incidents.

24 (b) REPORT TO CONGRESS.—Not later than 18  
25 months after the date of the enactment of this Act, the

1 Assistant Secretary shall submit to the Committee on En-  
2 ergy and Commerce of the House of Representatives and  
3 the Committee on Commerce, Science, and Transportation  
4 of the Senate a report detailing the findings and rec-  
5 ommendations of the study conducted under subsection  
6 (a).

7 **SEC. 508. TRIBAL DIGITAL ACCESS.**

8 (a) TRIBAL BROADBAND DATA REPORT.—

9 (1) IN GENERAL.—Not later than 1 year after  
10 the date of the enactment of this Act, the Commis-  
11 sion shall submit to the Committee on Energy and  
12 Commerce of the House of Representatives and the  
13 Committee on Commerce, Science, and Transpor-  
14 tation of the Senate a report evaluating broadband  
15 coverage in Indian country (as defined in section  
16 1151 of title 18, United States Code) and on land  
17 held by a Native Corporation pursuant to the Alaska  
18 Native Claims Settlement Act.

19 (2) REQUIRED ASSESSMENTS.—The report re-  
20 quired by paragraph (1) shall include the following:

21 (A) An assessment of areas of Indian  
22 country (as so defined) and land held by a Na-  
23 tive Corporation pursuant to the Alaska Native  
24 Claims Settlement Act that have adequate  
25 broadband coverage.

1 (B) An assessment of unserved areas of  
2 Indian country (as so defined) and land held by  
3 a Native Corporation pursuant to the Alaska  
4 Native Claims Settlement Act.

5 (b) TRIBAL BROADBAND RULEMAKING.—Not later  
6 than 30 months after the date of the enactment of this  
7 Act, the Commission shall complete a proceeding to ad-  
8 dress the unserved areas identified in the report under  
9 subsection (a).

## 10 **TITLE VI—VIEWER PROTECTION**

### 11 **SEC. 601. RESERVE SOURCE FOR PAYMENT OF TV BROAD- 12 CASTER RELOCATION COSTS.**

13 (a) ESTABLISHMENT OF FUND.—There is estab-  
14 lished in the Treasury of the United States a fund to be  
15 known as the Broadcast Repack Fund.

16 (b) AVAILABILITY OF FUNDS.—

17 (1) IN GENERAL.—If the Commission makes  
18 the certification described in paragraph (2), amounts  
19 in the Broadcast Repack Fund shall be available to  
20 the Commission to make reimbursements pursuant  
21 to subsection (b)(4)(A)(i) or (b)(4)(A)(ii) of section  
22 6403 of the Middle Class Tax Relief and Job Cre-  
23 ation Act of 2012 (47 U.S.C. 1452).

24 (2) CERTIFICATION.—The certification de-  
25 scribed in this paragraph is a certification from the

1 Commission to the Secretary of the Treasury that  
2 the funds available in the TV Broadcaster Reloca-  
3 tion Fund established under subsection (d) of such  
4 section are likely to be insufficient to reimburse rea-  
5 sonably incurred costs described in subsection  
6 (b)(4)(A)(i) or (b)(4)(A)(ii) of such section.

7 (3) AVAILABILITY FOR PAYMENTS AFTER APRIL  
8 13, 2020.—Notwithstanding subsection (b)(4)(D) of  
9 such section, the Commission may make payments  
10 pursuant to subsection (b)(4)(A)(i) or (b)(4)(A)(ii)  
11 of such section from the Broadcast Repack Fund  
12 after April 13, 2020, if, before making any such  
13 payments after such date, the Commission submits  
14 to Congress a certification that such payments are  
15 necessary to reimburse reasonably incurred costs de-  
16 scribed in such subsection.

17 (c) UNUSED FUNDS RESCINDED AND DEPOSITED  
18 INTO THE GENERAL FUND OF THE TREASURY.—

19 (1) RESCISSION AND DEPOSIT.—If any unobli-  
20 gated amounts remain in the Broadcast Repack  
21 Fund after the date described in paragraph (2),  
22 such amounts shall be rescinded and deposited into  
23 the general fund of the Treasury, where such  
24 amounts shall be dedicated for the sole purpose of  
25 deficit reduction.



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

3           (A) the date of a certification by the Com-  
4           mission under paragraph (3) that all reimburse-  
5           ments pursuant to subsections (b)(4)(A)(i) and  
6           (b)(4)(A)(ii) of such section 6403 have been  
7           made; or

8           (B) July 3, 2022.

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

15          (d) ADMINISTRATIVE COSTS.—The amount of auc-  
16          tion proceeds that the salaries and expenses account of  
17          the Commission is required to retain under section  
18          309(j)(8)(B) of the Communications Act of 1934 (47  
19          U.S.C. 309(j)(8)(B)), including from the proceeds of the  
20          forward auction under section 6403 of the Middle Class  
21          Tax Relief and Job Creation Act of 2012 (47 U.S.C.  
22          1452), shall be sufficient to cover the administrative costs  
23          incurred by the Commission in making any reimburse-  
24          ments out of the Broadcast Repack Fund.

1 **SEC. 602. PAYMENT OF RELOCATION COSTS OF TELEVISION**  
2 **TRANSLATOR STATIONS AND LOW POWER**  
3 **TELEVISION STATIONS.**

4 (a) PAYMENT REQUIRED.—

5 (1) IN GENERAL.—From amounts made avail-  
6 able under subsection (b)(2), the Commission shall  
7 reimburse costs reasonably incurred by a television  
8 translator station or low power television station on  
9 or after January 1, 2017, in order for such station  
10 to relocate its television service from one channel to  
11 another channel or otherwise modify its facility as a  
12 result of the reorganization of broadcast television  
13 spectrum under subsection (b) of section 6403 of the  
14 Middle Class Tax Relief and Job Creation Act of  
15 2012 (47 U.S.C. 1452). Only stations that are eligi-  
16 ble to file and do file an application in the Commis-  
17 sion’s Special Displacement Window are eligible to  
18 seek reimbursement under this paragraph.

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

22 (3) DUPLICATIVE PAYMENTS PROHIBITED.—In  
23 the case of a low power television station that has  
24 been accorded primary status as a Class A television  
25 licensee under section 73.6001(a) of title 47, Code  
26 of Federal Regulations—

1 (A) if the licensee of such station has re-  
2 ceived reimbursement with respect to such sta-  
3 tion under subsection (b)(4)(A)(i) of such sec-  
4 tion 6403 (including from amounts made avail-  
5 able under section 601 of this title), or from  
6 any other source, such station may not receive  
7 reimbursement under paragraph (1); and

8 (B) if such station has received reimburse-  
9 ment under paragraph (1), the licensee of such  
10 station may not receive reimbursement with re-  
11 spect to such station under subsection  
12 (b)(4)(A)(i) of such section 6403.

13 (4) ADDITIONAL LIMITATION.—The Commis-  
14 sion may not make reimbursement under paragraph  
15 (1) for costs incurred to resolve mutually exclusive  
16 applications, including costs incurred in any auction  
17 of available channels.

18 (b) FUNDING.—

19 (1) ESTABLISHMENT OF FUND.—There is es-  
20 tablished in the Treasury of the United States a  
21 fund to be known as the Translator and Low Power  
22 Station Relocation Fund.

23 (2) AVAILABILITY OF FUNDS.—

24 (A) IN GENERAL.—Amounts in the Trans-  
25 lator and Low Power Station Relocation Fund

1 shall be available to the Commission to make  
2 payments required by subsection (a)(1).

3 (B) AVAILABILITY AFTER APRIL 13,  
4 2020.—Amounts in the Translator and Low  
5 Power Station Relocation Fund shall not be  
6 available to the Commission to make payments  
7 required by subsection (a)(1) after April 13,  
8 2020, unless, before making any such payments  
9 after such date, the Commission submits to  
10 Congress a certification that such payments are  
11 necessary to reimburse costs reasonably in-  
12 curred by a television translator station or low  
13 power television station on or after January 1,  
14 2017, in order for such station to relocate its  
15 television service from one channel to another  
16 channel or otherwise modify its facility as a re-  
17 sult of the reorganization of broadcast television  
18 spectrum under subsection (b) of section 6403  
19 of the Middle Class Tax Relief and Job Cre-  
20 ation Act of 2012 (47 U.S.C. 1452).

21 (3) UNUSED FUNDS RESCINDED AND DEPOS-  
22 ITED INTO THE GENERAL FUND OF THE TREAS-  
23 URY.—

24 (A) RESCISSION AND DEPOSIT.—If any un-  
25 obligated amounts remain in the Translator and

1 Low Power Station Relocation Fund after the  
2 date described in subparagraph (B), such  
3 amounts shall be rescinded and deposited into  
4 the general fund of the Treasury, where such  
5 amounts shall be dedicated for the sole purpose  
6 of deficit reduction.

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

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

13 (ii) July 3, 2023.

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

20 (e) ADMINISTRATIVE COSTS.—The amount of auc-  
21 tion proceeds that the salaries and expenses account of  
22 the Commission is required to retain under section  
23 309(j)(8)(B) of the Communications Act of 1934 (47  
24 U.S.C. 309(j)(8)(B)), including from the proceeds of the  
25 forward auction under section 6403 of the Middle Class

1 Tax Relief and Job Creation Act of 2012 (47 U.S.C.  
2 1452), shall be sufficient to cover the administrative costs  
3 incurred by the Commission in making any reimburse-  
4 ments out of the Translator and Low Power Station Relo-  
5 cation Fund.

6 (d) DEFINITIONS.—In this section:

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

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

23 **SEC. 603. PAYMENT OF RELOCATION COSTS OF FM BROAD-**  
24 **CAST STATIONS.**

25 (a) PAYMENT REQUIRED.—

1           (1) IN GENERAL.—From amounts made avail-  
2           able under subsection (b)(2), the Commission shall  
3           reimburse costs reasonably incurred by an FM  
4           broadcast station for facilities necessary for such  
5           station to reasonably minimize disruption of service  
6           as a result of the reorganization of broadcast tele-  
7           vision spectrum under subsection (b) of section 6403  
8           of the Middle Class Tax Relief and Job Creation Act  
9           of 2012 (47 U.S.C. 1452).

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

13          (3) DUPLICATIVE PAYMENTS PROHIBITED.—If  
14          an FM broadcast station has received a payment for  
15          interim facilities from the licensee of a television  
16          broadcast station that was reimbursed for such pay-  
17          ment under subsection (b)(4)(A)(i) of such section  
18          6403 (including from amounts made available under  
19          section 601 of this title), or from any other source,  
20          such FM broadcast station may not receive any re-  
21          imbursements under paragraph (1).

22          (b) FUNDING.—

23                (1) ESTABLISHMENT OF FUND.—There is es-  
24                tablished in the Treasury of the United States a

1 fund to be known as the FM Broadcast Station Re-  
2 location Fund.

3 (2) AVAILABILITY OF FUNDS.—

4 (A) IN GENERAL.—Amounts in the FM  
5 Broadcast Station Relocation Fund shall be  
6 available to the Commission to make payments  
7 required by subsection (a)(1).

8 (B) AVAILABILITY AFTER APRIL 13,  
9 2020.—Amounts in the FM Broadcast Station  
10 Relocation Fund shall not be available to the  
11 Commission to make payments required by sub-  
12 section (a)(1) after April 13, 2020, unless, be-  
13 fore making any such payments after such date,  
14 the Commission submits to Congress a certifi-  
15 cation that such payments are necessary to re-  
16 imburse costs reasonably incurred by an FM  
17 broadcast station for facilities necessary for  
18 such station to reasonably minimize disruption  
19 of service as a result of the reorganization of  
20 broadcast television spectrum under subsection  
21 (b) of section 6403 of the Middle Class Tax Re-  
22 lief and Job Creation Act of 2012 (47 U.S.C.  
23 1452).



1           (3) UNUSED FUNDS RESCINDED AND DEPOS-  
2           ITED INTO THE GENERAL FUND OF THE TREAS-  
3           URY.—

4                   (A) RESCISSION AND DEPOSIT.—If any un-  
5           obligated amounts remain in the FM Broadcast  
6           Station Relocation Fund after the date de-  
7           scribed in subparagraph (B), such amounts  
8           shall be rescinded and deposited into the gen-  
9           eral fund of the Treasury, where such amounts  
10          shall be dedicated for the sole purpose of deficit  
11          reduction.

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

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

18                           (ii) July 3, 2022.

19                   (C) CERTIFICATION.—If all reimburse-  
20          ments pursuant to subsection (a)(1) have been  
21          made before July 3, 2022, the Commission  
22          shall submit to the Secretary of the Treasury a  
23          certification that all such reimbursements have  
24          been made.

1 (c) ADMINISTRATIVE COSTS.—The amount of auc-  
2 tion proceeds that the salaries and expenses account of  
3 the Commission is required to retain under section  
4 309(j)(8)(B) of the Communications Act of 1934 (47  
5 U.S.C. 309(j)(8)(B)), including from the proceeds of the  
6 forward auction under section 6403 of the Middle Class  
7 Tax Relief and Job Creation Act of 2012 (47 U.S.C.  
8 1452), shall be sufficient to cover the administrative costs  
9 incurred by the Commission in making any reimburse-  
10 ments out of the FM Broadcast Station Relocation Fund.

11 (d) FM BROADCAST STATION DEFINED.—In this  
12 section, the term “FM broadcast station” has the meaning  
13 given such term in section 73.310 of title 47, Code of Fed-  
14 eral Regulations.

15 **SEC. 604. CONSUMER EDUCATION PAYMENT.**

16 (a) ESTABLISHMENT OF FUND.—There is estab-  
17 lished in the Treasury of the United States a fund to be  
18 known as the Broadcast Station Relocation Consumer  
19 Education Fund.

20 (b) AVAILABILITY OF FUNDS.—Amounts in the  
21 Broadcast Station Relocation Consumer Education Fund  
22 shall be available to the Commission to make payments  
23 solely for the purposes of consumer education relating to  
24 the reorganization of broadcast television spectrum under

1 subsection (b) of section 6403 of the Middle Class Tax  
2 Relief and Job Creation Act of 2012 (47 U.S.C. 1452).

3 (c) ADMINISTRATIVE COSTS.—The amount of auc-  
4 tion proceeds that the salaries and expenses account of  
5 the Commission is required to retain under section  
6 309(j)(8)(B) of the Communications Act of 1934 (47  
7 U.S.C. 309(j)(8)(B)), including from the proceeds of the  
8 forward auction under section 6403 of the Middle Class  
9 Tax Relief and Job Creation Act of 2012 (47 U.S.C.  
10 1452), shall be sufficient to cover the administrative costs  
11 incurred by the Commission in making any payments out  
12 of the Broadcast Station Relocation Consumer Education  
13 Fund.

14 **SEC. 605. IMPLEMENTATION AND ENFORCEMENT.**

15 The Commission shall implement and enforce this  
16 title as if this title is a part of the Communications Act  
17 of 1934 (47 U.S.C. 151 et seq.). A violation of this title,  
18 or a regulation promulgated under this title, shall be con-  
19 sidered to be a violation of the Communications Act of  
20 1934, or a regulation promulgated under such Act, respec-  
21 tively.

1 **SEC. 606. RULE OF CONSTRUCTION.**

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

