

[DISCUSSION DRAFT]114TH CONGRESS
1ST SESSION**H. R.** _____

To amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens.

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Communica-
5 tions Commission Consolidated Reporting Act of 2015”.

1 **SEC. 2. COMMUNICATIONS MARKETPLACE REPORT.**

2 Title I of the Communications Act of 1934 (47
3 U.S.C. 151 et seq.) is amended by adding at the end the
4 following:

5 **“SEC. 13. COMMUNICATIONS MARKETPLACE REPORT.**

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

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

14 “(1) assess the state of competition in the com-
15 munications marketplace, including competition to
16 deliver voice, video, audio, and data services among
17 providers of telecommunications, providers of com-
18 mercial mobile service (as defined in section 332),
19 multichannel video programming distributors (as de-
20 fined in section 602), broadcast stations, providers
21 of satellite communications, Internet service pro-
22 viders, and other providers of communications serv-
23 ices;

24 “(2) assess the state of deployment of commu-
25 nications capabilities, including advanced tele-
26 communications capability (as defined in section 706

1 of the Telecommunications Act of 1996 (47 U.S.C.
2 1302)), regardless of the technology used for such
3 deployment, including whether advanced tele-
4 communications capability is being deployed to all
5 Americans in a reasonable and timely fashion;

6 “(3) assess whether laws, regulations, or regu-
7 latory practices (whether those of the Federal Gov-
8 ernment, States, political subdivisions of States, In-
9 dian tribes or tribal organizations (as such terms are
10 defined in section 4 of the Indian Self-Determination
11 and Education Assistance Act (25 U.S.C. 450b)), or
12 foreign governments) pose a barrier to competitive
13 entry into the communications marketplace or to the
14 competitive expansion of existing providers of com-
15 munications services;

16 “(4) describe the agenda of the Commission for
17 the next 2-year period for addressing the challenges
18 and opportunities in the communications market-
19 place that were identified through the assessments
20 under paragraphs (1) through (3); and

21 “(5) describe the actions that the Commission
22 has taken in pursuit of the agenda described pursu-
23 ant to paragraph (4) in the previous report sub-
24 mitted under this section.

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

10 “(d) SPECIAL REQUIREMENTS.—

11 “(1) ASSESSING COMPETITION.—In assessing
12 the state of competition under subsection (b)(1), the
13 Commission shall consider all forms of competition,
14 including the effect of intermodal competition, facili-
15 ties-based competition, and competition from new
16 and emergent communications services, including the
17 provision of content and communications using the
18 Internet.

19 “(2) ASSESSING DEPLOYMENT.—In assessing
20 the state of deployment under subsection (b)(2), the
21 Commission shall compile a list of geographical
22 areas that are not served by any provider of ad-
23 vanced telecommunications capability.

24 “(3) INTERNATIONAL COMPARISONS AND DEMO-
25 GRAPHIC INFORMATION.—The Commission may use

1 readily available data to draw appropriate compari-
2 sons between the United States communications
3 marketplace and the international communications
4 marketplace and to correlate its assessments with
5 demographic information.

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

13 **SEC. 3. CONSOLIDATION OF REDUNDANT REPORTS; CON-**
14 **FORMING AMENDMENTS.**

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

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

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

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

24 (2) by redesignating subsections (c) through (e)

25 as subsections (b) through (d), respectively.

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

5 (1) by striking subsection (g);

6 (2) by redesignating subsection (j) as sub-
7 section (g); and

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

10 (e) REPORT ON CABLE INDUSTRY PRICES.—

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

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

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

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

21 (f) TRIENNIAL REPORT IDENTIFYING AND ELIMI-
22 NATING MARKET ENTRY BARRIERS FOR ENTRE-
23 PRENEURS AND OTHER SMALL BUSINESSES.—Section
24 257 of the Communications Act of 1934 (47 U.S.C. 257)
25 is amended by striking subsection (c).

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

4 (1) in subsection (b)—

5 (A) in the last sentence, by striking “If the
6 Commission’s determination is negative, it” and
7 inserting “If the Commission determines in its
8 report under section 13 of the Communications
9 Act of 1934 that advanced telecommunications
10 capability is not being deployed to all Ameri-
11 cans in a reasonable and timely fashion, the
12 Commission”; and

13 (B) by striking the first and second sen-
14 tences;

15 (2) by striking subsection (c);

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

18 (4) by redesignating subsection (d) as sub-
19 section (c).

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

25 (i) PREVIOUSLY ELIMINATED ANNUAL REPORT.—

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

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

4 (B) by redesignating subsections (l)
5 through (o) as subsections (k) through (n), re-
6 spectively.

7 (2) CONFORMING AMENDMENTS.—The Commu-
8 nications Act of 1934 is amended—

9 (A) in section 9(i), by striking “In the
10 Commission’s annual report, the Commission
11 shall prepare an analysis of its progress in de-
12 veloping such systems and” and inserting “The
13 Commission”; and

14 (B) in section 309(j)(8)(B), by striking the
15 last sentence.

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

18 (1) in section 4—

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

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

25 (2) in section 215—

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

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

4 (D) by striking subsection (m);
5 (9) in section 398(b)(4), by striking the third
6 sentence;

7 (10) in section 624A(b)(1)—

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

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

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

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

18 **SEC. 4. EFFECT ON AUTHORITY.**

19 Nothing in this Act or the amendments made by this
20 Act shall be construed to expand or contract the authority
21 of the Federal Communications Commission.

22 **SEC. 5. OTHER REPORTS.**

23 Nothing in this Act or the amendments made by this
24 Act shall be construed to prohibit or otherwise prevent the
25 Federal Communications Commission from producing any

- 1 additional reports otherwise within the authority of the
- 2 Commission.