



U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON ENERGY AND COMMERCE

February 2, 2015

TO: Members, Subcommittee on Communications and Technology

FROM: Committee Majority Staff

RE: Subcommittee Markup of a Discussion Draft entitled “Federal Communications Commission Consolidated Reporting Act of 2015”

On Wednesday, February 4, 2015, at 10:00 a.m. in 2123 Rayburn House Office Building, the Subcommittee on Communications and Technology will meet in open markup session to consider a discussion draft entitled “Federal Communications Commission Consolidated Reporting Act of 2015.”

In keeping with Chairman Upton’s announced policy, Members must submit any amendments they may have two hours before they are offered during this markup. Members may submit amendments by email to Peter.Kielty@mail.house.gov. Any information with respect to an amendment’s parliamentary standing (e.g., its germaneness) should be submitted at this time as well.

I. BACKGROUND

The Federal Communications Consolidated Reporting Act passed the House in May 2012 on a voice vote, and again in September 2013 in a unanimous vote. It seeks to relieve burdens on the Federal Communications Commission (FCC) and make reports more meaningful. By eliminating outdated studies and consolidating the ones that remain into a biennial release, the Commission will be more efficient and can provide more useful information. The draft also proposes a “State of the Industry” report, focused on the challenges and opportunities in the marketplace, as well as the chairperson’s plan of action.

II. SECTION-BY-SECTION

A. Section 1.

Section 1 would provide a Short Title of “Federal Communications Commission Consolidated Reporting Act of 2015.”

B. Section 2.

Section 2 would add section 13 to the Communications Act.

New Section 13(a)—Communications Marketplace Report. New section 13(a) would require the FCC to publish and submit to Congress a communications marketplace report synched to the two-year Congressional cycle.

New Section 13(b)—Contents. New section 13(b) would require the FCC to assess the state of competition in the communications marketplace, the state of deployment, including the deployment of advanced telecommunications capability, and regulatory barriers to market entry and competitive expansion. The subsection also would require the FCC to identify the issues it plans to address over the next two years as a result of this assessment and to report on its progress on those issues previously identified.

New Section 13(c)—Special Considerations. New section 13(c) would require the FCC to consider intermodal, facilities-based, and Internet-based competition and to compile a list of geographic areas that are not served by any provider of advanced telecommunications capability. The subsection also would empower the FCC to consider international and demographic data in making its assessments. Finally, the FCC would be required to consider market entry barriers for small businesses.

C. Section 3.

Section 3 would consolidate into a Communications Marketplace Report the ORBIT Act Report, the Satellite Competition Report, the International Broadband Data Report, the Status of Competition in the Market for the Delivery of Video Programming Report, the Report on Cable Industry Prices, Triennial Report Identifying and Eliminating Market Entry Barriers for Entrepreneurs and Other Small Businesses, the Section 706 Report, and the Report on the State of Competitive Market Conditions With Respect to Commercial Mobile Radio Services.

Section 3 would strike from the Communications Act outdated or already repealed reports, including the Report on Competition between Wire Telephone and Wire Telegraph Providers, the 1997 Report on Spectrum Auctions, and several reports repealed by the Federal Reports Elimination and Sunset Act of 1995.

D. Section 4.

Section 4 would specify that this Act does not alter the authority of the Commission in any way.

III. STAFF CONTACTS

If you have any questions regarding the markup, please contact David Redl or Kelsey Guyselman at (202) 225-2927.