

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO DISCUSSION DRAFT
OFFERED BY MRS. BLACKBURN OF TENNESSEE**

[Drafted to FCC_REAUTH_01, dated July 18, 2017]

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 “FCC Reauthorization Act of 2017”.

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

Sec. 1. Short title; table of contents.
Sec. 2. Commission defined.

TITLE I—FCC REAUTHORIZATION

Sec. 101. Authorization of appropriations.
Sec. 102. Application and regulatory fees.
Sec. 103. Effective date.

TITLE II—FCC PROCESS REFORM

Sec. 201. FCC process reform.
Sec. 202. Categorization of TCPA inquiries and complaints in quarterly report.
Sec. 203. Effect on other laws.
Sec. 204. Application of Antideficiency Act to Universal Service Program.
Sec. 205. Report on improving small business participation in FCC proceedings.
Sec. 206. Timely availability of items adopted by vote of the Commission.

TITLE III—AMATEUR RADIO PARITY

Sec. 301. Findings.
Sec. 302. Application of private land use restrictions to amateur stations.
Sec. 303. Affirmation of limited preemption of State and local land use regulation.
Sec. 304. Definitions.

TITLE IV—SECURING ACCESS TO NETWORKS IN DISASTERS

- Sec. 401. Study on network resiliency.
- Sec. 402. Access to essential service providers during federally declared emergencies.
- Sec. 403. Definitions.

TITLE V—FCC CONSOLIDATED REPORTING

- Sec. 501. Communications marketplace report.
- Sec. 502. Consolidation of redundant reports; conforming amendments.
- Sec. 503. Effect on authority.
- Sec. 504. Other reports.

TITLE VI—ADDITIONAL PROVISIONS

- Sec. 601. Independent Inspector General for FCC.
- Sec. 602. Authority of Chief Information Officer.
- Sec. 603. Ensuring the integrity of voice communications.
- Sec. 604. Spoofing prevention.
- Sec. 605. Configuration of multi-line telephone systems for direct dialing of 9-1-1.
- Sec. 606. Report on promoting broadband Internet access service for veterans.
- Sec. 607. Methodology for collection of mobile service coverage data.
- Sec. 608. Accuracy of 9-1-1 call location information.
- Sec. 609. Interagency Communications Security Committee.

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

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

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

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

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

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

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

1 “(b) OFFSETTING COLLECTIONS.—

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

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

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

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

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

25 (2) in clause (i)—

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

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

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

12 (4) by striking clause (iii).

13 (c) ELIMINATION OF DUPLICATIVE AUTHORIZATION
14 OF APPROPRIATIONS.—

15 (1) IN GENERAL.—Section 710 of the Tele-
16 communications Act of 1996 (Public Law 104–104)
17 is repealed.

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

21 (d) TRANSFER OF FUNDS.—On the effective date de-
22 scribed in section 103, any amounts in the account pro-
23 viding appropriations to carry out the functions of the
24 Commission that were collected in excess of the amounts
25 provided for in Appropriations Acts in any fiscal year prior

1 to such date shall be transferred to the general fund of
2 the Treasury of the United States for the sole purpose
3 of deficit reduction.

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

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

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

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

14 “(b) APPLICATION FEES.—

15 “(1) IN GENERAL.—The Commission shall as-
16 sess and collect application fees at such rates as the
17 Commission shall establish in a schedule of applica-
18 tion fees to recover the costs of the Commission to
19 process applications.

20 “(2) ADJUSTMENT OF SCHEDULE.—

21 “(A) IN GENERAL.—In every even-num-
22 bered year, the Commission shall review the
23 schedule of application fees established under
24 this subsection and, except as provided in sub-
25 paragraph (B), set a new amount for each fee

1 in the schedule that is equal to the amount of
2 the fee on the date when the fee was established
3 or the date when the fee was last amended
4 under paragraph (3), whichever is later—

5 “(i) increased or decreased by the per-
6 centage change in the Consumer Price
7 Index during the period beginning on such
8 date and ending on the date of the review;
9 and

10 “(ii) rounded to the nearest \$5 incre-
11 ment.

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

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

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

23 “(C) CURRENT AMOUNT DEFINED.—In
24 subparagraph (B), the term ‘current amount’
25 means, with respect to a fee, the amount of the

1 fee on the date when the fee was established,
2 the date when the fee was last adjusted under
3 subparagraph (A), or the date when the fee was
4 last amended under paragraph (3), whichever is
5 latest.

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

15 “(c) REGULATORY FEES.—

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

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

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

4 “(2) ADJUSTMENT OF SCHEDULE.—

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

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

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

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

17 “(3) AMENDMENTS.—In addition to the adjust-
18 ments required by paragraph (2), the Commission
19 shall by rule amend the schedule of regulatory fees
20 established under this subsection if the Commission
21 determines that the schedule requires amendment so
22 that such fees reflect the full-time equivalent number
23 of employees within the bureaus and offices of the
24 Commission, adjusted to take into account factors
25 that are reasonably related to the benefits provided

1 to the payor of the fee by the Commission's activi-
2 ties. In making an amendment under this para-
3 graph, the Commission may not change the total
4 amount of regulatory fees required by paragraph (1)
5 to be collected in a fiscal year.

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

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

11 “(1) of any adjustment under subsection (b)(2)
12 or (c)(2) immediately upon the adoption of such ad-
13 justment; and

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

17 “(f) ENFORCEMENT.—

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

23 “(2) INTEREST ON UNPAID FEES AND PEN-
24 ALTIES.—The Commission shall charge interest, at a
25 rate determined under section 3717 of title 31,

1 United States Code, on a fee or penalty under this
2 section that is not paid in a timely manner. Such
3 section 3717 shall not otherwise apply with respect
4 to a fee or penalty under this section.

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

10 “(4) REVOCATIONS.—

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

18 “(B) NOTICE.—Revocation action may be
19 taken by the Commission under this paragraph
20 after notice of the Commission’s intent to take
21 such action is sent to the licensee by registered
22 mail, return receipt requested, at the licensee’s
23 last known address. The notice shall provide the
24 licensee at least 30 days to either pay the fee,
25 interest, and any penalty or show cause why the

1 fee, interest, or penalty does not apply to the li-
2 censee or should otherwise be waived or pay-
3 ment deferred.

4 “(C) HEARING.—

5 “(i) GENERALLY NOT REQUIRED.—A
6 hearing is not required under this para-
7 graph unless the licensee’s response pre-
8 sents a substantial and material question
9 of fact.

10 “(ii) EVIDENCE AND BURDENS.—In
11 any case where a hearing is conducted
12 under this paragraph, the hearing shall be
13 based on written evidence only, and the
14 burden of proceeding with the introduction
15 of evidence and the burden of proof shall
16 be on the licensee.

17 “(iii) COSTS.—Unless the licensee
18 substantially prevails in the hearing, the
19 Commission may assess the licensee for the
20 costs of such hearing.

21 “(D) OPPORTUNITY TO PAY PRIOR TO
22 REVOCATION.—Any Commission order adopted
23 under this paragraph shall determine the
24 amount due, if any, and provide the licensee

1 with at least 30 days to pay that amount or
2 have its authorization revoked.

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

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

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

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

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

19 “(i) EXCEPTIONS.—

20 “(1) PARTIES TO WHICH FEES ARE NOT APPLI-
21 CABLE.—

22 “(A) APPLICATION FEES.—The application
23 fees established under this section shall not be
24 applicable to—

25 “(i) a governmental entity; or

1 “(ii) a nonprofit entity licensed in the
2 Local Government, Police, Fire, Highway
3 Maintenance, Forestry-Conservation, Pub-
4 lic Safety, or Special Emergency Radio
5 service.

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

9 “(i) a governmental entity or non-
10 profit entity; or

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

14 “(2) COST OF COLLECTION.—

15 “(A) APPLICATION FEES.—If, in the judg-
16 ment of the Commission, the cost of collecting
17 an application fee established under this section
18 would exceed the amount collected, the Commis-
19 sion may by rule eliminate such fee.

20 “(B) REGULATORY FEES.—If, in the judg-
21 ment of the Commission, the cost of collecting
22 a regulatory fee established under this section
23 from a party would exceed the amount collected
24 from such party, the Commission may exempt
25 such party from paying such fee.

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

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

6 (1) by repealing section 8; and

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

11 (c) TRANSITIONAL RULES.—

12 (1) APPLICATION FEES.—An application fee es-
13 tablished under section 8 of the Communications Act
14 of 1934, as such section is in effect on the day be-
15 fore the effective date described in section 103 of
16 this Act, shall remain in effect under subsection (b)
17 of section 9 of the Communications Act of 1934, as
18 amended by subsection (a) of this section, until such
19 time as the Commission adjusts or amends such fee
20 under subsection (b)(2) or (b)(3) of such section 9,
21 as so amended.

22 (2) REGULATORY FEES.—A regulatory fee es-
23 tablished under section 9 of the Communications Act
24 of 1934, as such section is in effect on the day be-
25 fore the effective date described in section 103 of

1 this Act, shall remain in effect under subsection (c)
2 of section 9 of the Communications Act of 1934, as
3 amended by subsection (a) of this section, until such
4 time as the Commission adjusts or amends such fee
5 under subsection (c)(2) or (c)(3) of such section 9,
6 as so amended.

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

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

15 (2) REPORT TO CONGRESS.—If the Commission
16 has not completed the rulemaking proceeding re-
17 quired by paragraph (1) by the date that is 6
18 months after the effective date described in section
19 103, the Commission shall submit to Congress a re-
20 port on the progress of such rulemaking proceeding.

21 **SEC. 103. EFFECTIVE DATE.**

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

1 **TITLE II—FCC PROCESS**
2 **REFORM**

3 **SEC. 201. FCC PROCESS REFORM.**

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

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

8 “(a) INITIAL RULEMAKING AND INQUIRY.—

9 “(1) RULEMAKING.—Not later than 1 year
10 after the date of the enactment of this section, the
11 Commission shall complete a rulemaking proceeding
12 and adopt procedural changes to its rules to maxi-
13 mize opportunities for public participation and effi-
14 cient decisionmaking.

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

17 “(A) set minimum comment periods for
18 comment and reply comment, subject to a de-
19 termination by the Commission that good cause
20 exists for departing from such minimum com-
21 ment periods, for—

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

24 “(ii) all other rulemaking proceedings;

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

4 “(C) establish policies regarding treatment
5 of comments, ex parte communications, and
6 data or reports (including statistical reports
7 and reports to Congress) submitted after the
8 comment period to ensure that the public has
9 adequate notice of and opportunity to respond
10 to such submissions before the Commission re-
11 lies on such submissions in any order, decision,
12 report, or action;

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

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

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

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

13 “(II) information regarding the
14 amount of time for which such re-
15 quests have been pending, broken
16 down as described in subclause (I);
17 and

18 “(iii) a list of the congressional inves-
19 tigations of the Commission that were
20 pending on the last day of such quarter (or
21 more frequent period, as the case may be)
22 and the cost of such investigations, individ-
23 ually and in the aggregate;

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

1 “(i) in the case of a petition for a de-
2 claratory ruling under section 1.2 of title
3 47, Code of Federal Regulations, issuing a
4 public notice of such petition;

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

9 “(iii) in the case of a petition for re-
10 consideration under section 1.106 or 1.429
11 of such title or an application for review
12 under section 1.115 of such title, issuing a
13 public notice of a decision on the petition
14 or application by the Commission or under
15 delegated authority (as the case may be);

16 “(F) establish guidelines (relative to the
17 date of filing) for the disposition of petitions
18 filed under section 1.2 of such title;

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

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

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

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

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

12 “(II) a finding that existing per-
13 formance measures will effectively
14 evaluate the program activity as
15 changed (or proposed to be changed).

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

20 “(A) establish procedures for allowing a bi-
21 partisan majority of Commissioners to place an
22 order, decision, report, or action on the agenda
23 of an open meeting;

24 “(B) establish procedures for informing all
25 Commissioners of a reasonable number of op-

1 tions available to the Commission for resolving
2 a petition, complaint, application, rulemaking,
3 or other proceeding;

4 “(C) establish procedures for ensuring that
5 all Commissioners have adequate time, prior to
6 being required to decide a petition, complaint,
7 application, rulemaking, or other proceeding
8 (including at a meeting held pursuant to section
9 5(d)), to review the proposed Commission deci-
10 sion document, including the specific language
11 of any proposed rule or any proposed amend-
12 ment of an existing rule;

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

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

22 “(F) assign resources needed in order to
23 meet the deadlines described in subparagraph
24 (E), including whether the Commission’s ability
25 to meet such deadlines would be enhanced by

1 assessing a fee from applicants for such a li-
2 cense; and

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

8 “(4) DATA FOR PERFORMANCE MEASURES.—
9 The Commission shall develop a performance meas-
10 ure or proposed performance measure required by
11 this subsection to rely, where possible, on data al-
12 ready collected by the Commission.

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

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

25 “(c) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

1 “(1) IN GENERAL.—Notwithstanding section
2 552b of title 5, United States Code, a bipartisan
3 majority of Commissioners may hold a meeting that
4 is closed to the public to discuss official business
5 if—

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

8 “(B) each person present at such meeting
9 is a Commissioner, an employee of the Commis-
10 sion, a member of a joint board or conference
11 established under section 410, or a person on
12 the staff of such a joint board or conference or
13 of a member of such a joint board or con-
14 ference; and

15 “(C) an attorney from the Office of Gen-
16 eral Counsel of the Commission is present at
17 such meeting.

18 “(2) DISCLOSURE OF NONPUBLIC COLLABO-
19 RATIVE DISCUSSIONS.—Not later than 2 business
20 days after the conclusion of a meeting held under
21 paragraph (1), the Commission shall publish a dis-
22 closure of such meeting, including—

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

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

5 “(3) PRESERVATION OF OPEN MEETINGS RE-
6 QUIREMENTS FOR AGENCY ACTION.—Nothing in this
7 subsection shall limit the applicability of section
8 552b of title 5, United States Code, with respect to
9 a meeting of Commissioners other than that de-
10 scribed in paragraph (1).

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

14 “(1) detailed information regarding—

15 “(A) the budget of the Commission for the
16 current fiscal year;

17 “(B) the appropriations for the Commis-
18 sion for such fiscal year; and

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

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

1 “(e) INTERNET PUBLICATION OF CERTAIN FCC
2 POLICIES AND PROCEDURES.—The chairman of the Com-
3 mission shall—

4 “(1) publish on the Internet website of the
5 Commission any policies or procedures of the Com-
6 mission that—

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

8 “(B) relate to the functioning of the Com-
9 mission or the handling of the agenda of the
10 Commission; and

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

14 “(f) FEDERAL REGISTER PUBLICATION.—

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

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

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

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

4 “(3) NO EFFECT ON DEADLINES FOR PUBLICA-
5 TION IN OTHER FORM.—In the case of a deadline
6 that does not specify that the form of publication is
7 publication in the Federal Register, the Commission
8 may comply with such deadline by publishing the
9 document in another form. Such other form of publi-
10 cation does not relieve the Commission of any Fed-
11 eral Register publication requirement applicable to
12 such document, including the requirement of para-
13 graph (1).

14 “(g) CONSUMER COMPLAINT DATABASE.—

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

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

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

23 “(i) the date of the filing of the com-
24 plaint;

25 “(ii) the topic of the complaint;

1 “(iii) the party complained of; and

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

4 “(2) DUPLICATIVE COMPLAINTS.—In the case
5 of multiple complaints arising from the same alleged
6 misconduct, the Commission shall be required to in-
7 clude only information concerning one such com-
8 plaint in the database described in paragraph (1).

9 “(h) FORM OF PUBLICATION.—

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

16 “(2) EXCEPTION.—The Commission shall by
17 rule establish procedures for redacting documents
18 required to be published by this section so that the
19 published versions of such documents do not con-
20 tain—

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

1 “(B) information that is proprietary or
2 confidential.

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

10 “(1) Publishing on the Commission’s website
11 the Commission’s logs for tracking, responding to,
12 and managing requests submitted under such sec-
13 tion, including the Commission’s fee estimates, fee
14 categories, and fee request determinations.

15 “(2) Releasing to the public all decisions made
16 by the Commission (including decisions made by the
17 Commission’s Bureaus and Offices) granting or de-
18 nying requests filed under such section, including
19 any such decisions pertaining to the estimate and
20 application of fees assessed under such section.

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

24 “(4) Presenting information about the Commis-
25 sion’s handling of requests under such section in the

1 Commission's annual budget estimates submitted to
2 Congress and the Commission's annual performance
3 and financial reports. Such information shall include
4 the number of requests under such section the Com-
5 mission received in the most recent fiscal year, the
6 number of such requests granted and denied, a com-
7 parison of the Commission's processing of such re-
8 quests over at least the previous 3 fiscal years, and
9 a comparison of the Commission's results with the
10 most recent average for the United States Govern-
11 ment as published on www.foia.gov.

12 “(j) PROMPT RELEASE OF STATISTICAL REPORTS
13 AND REPORTS TO CONGRESS.—Not later than January
14 15th of each year, the Commission shall identify, catalog,
15 and publish an anticipated release schedule for all statis-
16 tical reports and reports to Congress that are regularly
17 or intermittently released by the Commission and will be
18 released during such year.

19 “(k) ANNUAL SCORECARD REPORTS.—

20 “(1) IN GENERAL.—For the 1-year period be-
21 ginning on January 1st of each year, the Commis-
22 sion shall prepare a report on the performance of
23 the Commission in conducting its proceedings and
24 meeting the deadlines established under subsection

1 (a)(2)(E) and the guidelines established under sub-
2 section (a)(2)(F).

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

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

9 “(i) the number of filings that were
10 pending on the last day of the period cov-
11 ered by such report;

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

18 “(iii) for filings that were resolved
19 during such period, the average time be-
20 tween initiation and resolution and the
21 percentage for which each applicable dead-
22 line or guideline established under such
23 subsection was met;

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

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

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

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

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

16 “(1) DEFINITIONS.—In this section:

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

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

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

1 “(B) includes, for each political party of
2 which any Commissioner is a member, at least
3 one Commissioner who is a member of such po-
4 litical party, and, if any Commissioner has no
5 political party affiliation, at least one unaffili-
6 ated Commissioner.

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

12 “(4) PROGRAM ACTIVITY.—The term ‘program
13 activity’ has the meaning given such term in section
14 1115 of title 31, United States Code, except that
15 such term also includes any annual collection or dis-
16 tribution or related series of collections or distribu-
17 tions by the Commission of an amount that is great-
18 er than or equal to \$100,000,000.

19 “(5) OTHER DEFINITIONS.—The terms ‘agency
20 action’, ‘ex parte communication’, and ‘rule’ have
21 the meanings given such terms in section 551 of title
22 5, United States Code.”.

23 (b) EFFECTIVE DATES AND IMPLEMENTING
24 RULES.—

25 (1) EFFECTIVE DATES.—

1 (A) NONPUBLIC COLLABORATIVE DISCUS-
2 SIONS.—Subsection (c) of section 13 of the
3 Communications Act of 1934, as added by sub-
4 section (a), shall apply beginning on the first
5 date on which all of the procedural changes to
6 the rules of the Commission required by sub-
7 section (a)(1) of such section have taken effect.

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

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

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

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

1 **SEC. 202. CATEGORIZATION OF TCPA INQUIRIES AND COM-**
2 **PLAINTS IN QUARTERLY REPORT.**

3 In compiling its quarterly report with respect to in-
4 formal consumer inquiries and complaints, the Commis-
5 sion may not categorize an inquiry or complaint with re-
6 spect to section 227 of the Communications Act of 1934
7 (47 U.S.C. 227) as being a wireline inquiry or complaint
8 or a wireless inquiry or complaint unless the party whose
9 conduct is the subject of the inquiry or complaint is a
10 wireline carrier or a wireless carrier, respectively.

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

12 Nothing in this title or the amendments made by this
13 title shall relieve the Commission from any obligations
14 under title 5, United States Code, except where otherwise
15 expressly provided.

16 **SEC. 204. APPLICATION OF ANTIDEFICIENCY ACT TO UNI-**
17 **VERSAL SERVICE PROGRAM.**

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

21 **SEC. 205. REPORT ON IMPROVING SMALL BUSINESS PAR-**
22 **TICIPATION IN FCC PROCEEDINGS.**

23 Not later than 1 year after the date of the enactment
24 of this Act, the Commission, in consultation with the Ad-
25 ministrator of the Small Business Administration, shall
26 submit to Congress a report on—

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

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

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

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

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

19 (b) **EFFECTIVE DATE.**—The amendment made by
20 this section shall apply with respect to an item that is
21 adopted after the date that is 30 days after the date of
22 the enactment of this Act.

1 **TITLE III—AMATEUR RADIO**
2 **PARITY**

3 **SEC. 301. FINDINGS.**

4 Congress finds the following:

5 (1) More than 730,000 radio amateurs in the
6 United States are licensed by the Commission in the
7 amateur radio services.

8 (2) Amateur radio, at no cost to taxpayers, pro-
9 vides a fertile ground for technical self-training in
10 modern telecommunications, electronics technology,
11 and emergency communications techniques and pro-
12 tocols.

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

19 (4) Commission regulations have for three dec-
20 ades prohibited the application to stations in the
21 amateur service of State and local regulations that
22 preclude or fail to reasonably accommodate amateur
23 service communications, or that do not constitute
24 the minimum practicable regulation to accomplish a
25 legitimate State or local purpose. Commission policy

1 has been and is to require States and localities to
2 permit erection of a station antenna structure at
3 heights and dimensions sufficient to accommodate
4 amateur service communications.

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

10 (6) There are aesthetic and common property
11 considerations that are uniquely applicable to private
12 land use regulations and the community associations
13 obligated to enforce covenants, conditions, and re-
14 strictions in deed-restricted communities. These con-
15 siderations are dissimilar to those applicable to State
16 law and local ordinances regulating the same resi-
17 dential amateur radio facilities.

18 (7) In recognition of these considerations, a
19 separate Federal policy than exists at section
20 97.15(b) of title 47, Code of Federal Regulations, is
21 warranted concerning amateur service communica-
22 tions in deed-restricted communities.

23 (8) Community associations should fairly ad-
24 minister private land use regulations in the interest
25 of their communities, while nevertheless permitting

1 the installation and maintenance of effective outdoor
2 amateur radio antennas. There exist antenna de-
3 signs and installations that can be consistent with
4 the aesthetics and physical characteristics of land
5 and structures in community associations while ac-
6 commodating communications in the amateur radio
7 services.

8 **SEC. 302. APPLICATION OF PRIVATE LAND USE RESTRIC-**
9 **TIONS TO AMATEUR STATIONS.**

10 (a) AMENDMENT OF FCC RULES.—Not later than
11 120 days after the date of the enactment of this Act, the
12 Commission shall amend section 97.15 of title 47, Code
13 of Federal Regulations, by adding a new paragraph that
14 prohibits the application to amateur stations of any pri-
15 vate land use restriction, including a restrictive covenant,
16 that—

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

19 (2) fails to permit a licensee in an amateur
20 radio service to install and maintain an effective out-
21 door antenna on property under the exclusive use or
22 control of the licensee; or

23 (3) does not constitute the minimum practicable
24 restriction on such communications to accomplish

1 the lawful purposes of a community association seek-
2 ing to enforce such restriction.

3 (b) ADDITIONAL REQUIREMENTS.—In amending its
4 rules as required by subsection (a), the Commission
5 shall—

6 (1) require any licensee in an amateur radio
7 service to notify and obtain prior approval from a
8 community association concerning installation of an
9 outdoor antenna;

10 (2) permit a community association to prohibit
11 installation of any antenna or antenna support
12 structure by a licensee in an amateur radio service
13 on common property not under the exclusive use or
14 control of the licensee; and

15 (3) subject to the standards specified in para-
16 graphs (1) and (2) of subsection (a), permit a com-
17 munity association to establish reasonable written
18 rules concerning height, location, size, and aesthetic
19 impact of, and installation requirements for, outdoor
20 antennas and support structures for the purpose of
21 conducting communications in the amateur radio
22 services.

1 **SEC. 303. AFFIRMATION OF LIMITED PREEMPTION OF**
2 **STATE AND LOCAL LAND USE REGULATION.**

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

7 **SEC. 304. DEFINITIONS.**

8 In this title:

9 (1) **COMMUNITY ASSOCIATION.**—The term
10 “community association” means any non-profit man-
11 datory membership organization composed of owners
12 of real estate described in a declaration of covenants
13 or created pursuant to a covenant or other applica-
14 ble law with respect to which a person, by virtue of
15 the person’s ownership of or interest in a unit or
16 parcel, is obligated to pay for a share of real estate
17 taxes, insurance premiums, maintenance, improve-
18 ment, services, or other expenses related to common
19 elements, other units, or any other real estate other
20 than the unit or parcel described in the declaration.

21 (2) **TERMS DEFINED IN REGULATIONS.**—The
22 terms “amateur radio services”, “amateur service”,
23 and “amateur station” have the meanings given
24 such terms in section 97.3 of title 47, Code of Fed-
25 eral Regulations.

1 **TITLE IV—SECURING ACCESS TO**
2 **NETWORKS IN DISASTERS**

3 **SEC. 401. STUDY ON NETWORK RESILIENCY.**

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

9 (1) making telecommunications service pro-
10 vider-owned WiFi access points, and other commu-
11 nications technologies operating on unlicensed spec-
12 trum, available to the general public for access to 9-
13 1-1 services, without requiring any login credentials,
14 during times of emergency when mobile service is
15 unavailable;

16 (2) the provision by non-telecommunications
17 service provider-owned WiFi access points of public
18 access to 9-1-1 services during times of emergency
19 when mobile service is unavailable; and

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

1 **SEC. 402. ACCESS TO ESSENTIAL SERVICE PROVIDERS DUR-**
2 **ING FEDERALLY DECLARED EMERGENCIES.**

3 Section 427(a)(1)(A) of the Robert T. Stafford Dis-
4 aster Relief and Emergency Assistance Act (42 U.S.C.
5 5189e(a)(1)(A)) is amended by striking “telecommuni-
6 cations service” and inserting “wireline or mobile tele-
7 phone service, Internet access service, radio or television
8 broadcasting, cable service, or direct broadcast satellite
9 service”.

10 **SEC. 403. DEFINITIONS.**

11 As used in this title—

12 (1) the term “mobile service” means commer-
13 cial mobile service (as defined in section 332 of the
14 Communications Act of 1934 (47 U.S.C. 332)) or
15 commercial mobile data service (as defined in section
16 6001 of the Middle Class Tax Relief and Job Cre-
17 ation Act of 2012 (47 U.S.C. 1401));

18 (2) the term “WiFi access point” means wire-
19 less Internet access using the standard designated as
20 802.11 or any variant thereof; and

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

1 **TITLE V—FCC CONSOLIDATED**
2 **REPORTING**

3 **SEC. 501. COMMUNICATIONS MARKETPLACE REPORT.**

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

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

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

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

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

1 “(2) assess the state of deployment of commu-
2 nications capabilities, including advanced tele-
3 communications capability (as defined in section 706
4 of the Telecommunications Act of 1996 (47 U.S.C.
5 1302)), regardless of the technology used for such
6 deployment, including whether advanced tele-
7 communications capability is being deployed to all
8 Americans in a reasonable and timely fashion;

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

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

24 “(5) describe the actions that the Commission
25 has taken in pursuit of the agenda described pursu-

1 ant to paragraph (4) in the previous report sub-
2 mitted under this section.

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

12 “(d) SPECIAL REQUIREMENTS.—

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

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

1 “(3) INTERNATIONAL COMPARISONS AND DEMO-
2 GRAPHIC INFORMATION.—The Commission may use
3 readily available data to draw appropriate compari-
4 sons between the United States communications
5 marketplace and the international communications
6 marketplace and to correlate its assessments with
7 demographic information.

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

15 “(5) CONSIDERING CABLE RATES.—In assess-
16 ing the state of competition under subsection (b)(1),
17 the Commission shall include in each report required
18 by subsection (a) the aggregate average total
19 amount paid by cable systems in compensation
20 under section 325 during the period covered by such
21 report.”.

1 **SEC. 502. CONSOLIDATION OF REDUNDANT REPORTS; CON-**
2 **FORMING AMENDMENTS.**

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

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

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

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

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

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

18 (1) by striking subsection (g);

19 (2) by redesignating subsection (j) as sub-
20 section (g); and

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

23 (e) REPORT ON CABLE INDUSTRY PRICES.—

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

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

1 (B) by redesignating subsections (l)
2 through (o) as subsections (k) through (n), re-
3 spectively.

4 (2) CONFORMING AMENDMENT.—Section
5 613(a)(3) of the Communications Act of 1934 (47
6 U.S.C. 533(a)(3)) is amended by striking “623(l)”
7 and inserting “623(k)”.

8 (f) TRIENNIAL REPORT IDENTIFYING AND ELIMI-
9 NATING MARKET ENTRY BARRIERS FOR ENTRE-
10 PRENEURS AND OTHER SMALL BUSINESSES.—Section
11 257 of the Communications Act of 1934 (47 U.S.C. 257)
12 is amended by striking subsection (e).

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

16 (1) by amending subsection (b) to read as fol-
17 lows:

18 “(b) DETERMINATION.—If the Commission deter-
19 mines in its report under section 14 of the Communica-
20 tions Act of 1934, after considering the availability of ad-
21 vanced telecommunications capability to all Americans (in-
22 cluding, in particular, elementary and secondary schools
23 and classrooms), that advanced telecommunications capa-
24 bility is not being deployed to all Americans in a reason-
25 able and timely fashion, the Commission shall take imme-

1 diate action to accelerate deployment of such capability
2 by removing barriers to infrastructure investment and by
3 promoting competition in the telecommunications mar-
4 ket.”;

5 (2) by striking subsection (c);

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

8 (4) by redesignating subsection (d) as sub-
9 section (c).

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

15 (i) PREVIOUSLY ELIMINATED ANNUAL REPORT.—

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

18 (A) by striking subsection (k);

19 (B) by redesignating subsections (l)
20 through (n) as subsections (k) through (m), re-
21 spectively; and

22 (C) by redesignating the first subsection
23 (o) (relating to use of radio and wire commu-
24 nications in connection with safety of life and
25 property) as subsection (n).

1 (2) CONFORMING AMENDMENT.—Section
2 309(j)(8)(B) of the Communications Act of 1934
3 (47 U.S.C. 309(j)(8)(B)) is amended by striking the
4 last sentence.

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

7 (1) in section 4—

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

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

14 (2) in section 215—

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

16 (B) by redesignating subsection (c) as sub-
17 section (b);

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

19 (4) in section 309(j)—

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

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

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

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

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

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

7 (8) in section 396—

8 (A) by striking subsection (i);

9 (B) in subsection (k)—

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

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

14 (C) in subsection (l)(1)(B), by striking

15 “shall be included” and all that follows through

16 “The audit report”; and

17 (D) by striking subsection (m);

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

19 sentence;

20 (10) in section 624A(b)(1)—

21 (A) by striking “REPORT; REGULATIONS”

22 and inserting “REGULATIONS”;

23 (B) by striking “Within 1 year after” and

24 all that follows through “on means of assuring”

1 and inserting “The Commission shall issue such
2 regulations as are necessary to assure”; and

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

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

7 **SEC. 503. EFFECT ON AUTHORITY.**

8 Nothing in this title or the amendments made by this
9 title shall be construed to expand or contract the authority
10 of the Commission.

11 **SEC. 504. OTHER REPORTS.**

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

16 **TITLE VI—ADDITIONAL**
17 **PROVISIONS**

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

19 (a) AMENDMENTS.—The Inspector General Act of
20 1978 (5 U.S.C. App.) is amended—

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

23 (2) in section 12—

24 (A) in paragraph (1), by inserting “, the
25 Federal Communications Commission,” after

1 “the Chairman of the Nuclear Regulatory Com-
2 mission”; and

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

6 (b) **TRANSITION RULE.**—An individual serving as In-
7 spector General of the Commission on the date of the en-
8 actment of this Act pursuant to an appointment made
9 under section 8G of the Inspector General Act of 1978
10 (5 U.S.C. App.)—

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

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

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

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

1 fers or holds itself out as offering the capability to trans-
2 mit covered voice communications from one destination to
3 another and that charges any rate to any other entity (in-
4 cluding an affiliated entity) for the transmission shall—

5 “(1) register with the Commission; and

6 “(2) comply with the service quality standards
7 for such transmission to be established by the Com-
8 mission under subsection (e)(1)(B).

9 “(b) REQUIRED USE OF REGISTERED INTER-
10 MEDIATE PROVIDERS.—A covered provider may not use
11 an intermediate provider to transmit covered voice com-
12 munications unless such intermediate provider is reg-
13 istered under subsection (a)(1).

14 “(c) COMMISSION RULES.—

15 “(1) IN GENERAL.—

16 “(A) REGISTRY.—Not later than 180 days
17 after the date of enactment of this section, the
18 Commission shall promulgate rules to establish
19 a registry to record registrations under sub-
20 section (a)(1).

21 “(B) SERVICE QUALITY STANDARDS.—Not
22 later than 1 year after the date of enactment of
23 this section, the Commission shall promulgate
24 rules to establish service quality standards for

1 the transmission of covered voice communica-
2 tions by intermediate providers.

3 “(2) REQUIREMENTS.—In promulgating the
4 rules required by paragraph (1), the Commission
5 shall—

6 “(A) ensure the integrity of the trans-
7 mission of covered voice communications to all
8 customers in the United States; and

9 “(B) prevent unjust or unreasonable dis-
10 crimination among areas of the United States
11 in the delivery of covered voice communications.

12 “(d) PUBLIC AVAILABILITY OF REGISTRY.—The
13 Commission shall make the registry established under sub-
14 section (e)(1)(A) publicly available on the website of the
15 Commission.

16 “(e) SCOPE OF APPLICATION.—The requirements of
17 this section shall apply regardless of the format by which
18 any communication or service is provided, the protocol or
19 format by which the transmission of such communication
20 or service is achieved, or the regulatory classification of
21 such communication or service.

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

1 “(g) EFFECT ON OTHER LAWS.—Nothing in this sec-
2 tion shall be construed to preempt or expand the authority
3 of a State public utility commission or other relevant State
4 agency to collect data, or investigate and enforce State
5 law and regulations, regarding the completion of intra-
6 state voice communications, regardless of the format by
7 which any communication or service is provided, the pro-
8 tocol or format by which the transmission of such commu-
9 nication or service is achieved, or the regulatory classifica-
10 tion of such communication or service.

11 “(h) EXCEPTION.—The requirement under sub-
12 section (a)(2) to comply with the service quality standards
13 established under subsection (c)(1)(B) shall not apply to
14 a covered provider that—

15 “(1) on or before the date that is 1 year after
16 the date of enactment of this section, has certified
17 as a Safe Harbor provider under section 64.2107(a)
18 of title 47, Code of Federal Regulations, or any suc-
19 cessor regulation; and

20 “(2) continues to meet the requirements under
21 such section 64.2107(a).

22 “(i) DEFINITIONS.—In this section:

23 “(1) COVERED PROVIDER.—The term ‘covered
24 provider’ has the meaning given the term in section

1 64.2101 of title 47, Code of Federal Regulations, or
2 any successor thereto.

3 “(2) COVERED VOICE COMMUNICATION.—The
4 term ‘covered voice communication’ means a voice
5 communication (including any related signaling in-
6 formation) that is generated—

7 “(A) from the placement of a call from a
8 connection using a North American Numbering
9 Plan resource or a call placed to a connection
10 using such a numbering resource; and

11 “(B) through any service provided by a
12 covered provider.

13 “(3) INTERMEDIATE PROVIDER.—The term ‘in-
14 termediate provider’ means any entity that—

15 “(A) enters into a business arrangement
16 with a covered provider or other intermediate
17 provider for the specific purpose of carrying,
18 routing, or transmitting voice traffic that is
19 generated from the placement of a call placed—

20 “(i) from an end user connection
21 using a North American Numbering Plan
22 resource; or

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

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

5 **SEC. 604. SPOOFING PREVENTION.**

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

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

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

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

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

6 (C) by striking subparagraph (C) and in-
7 serting the following:

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

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

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

20 “(iii) does not include—

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

23 “(II) a message sent over an IP-
24 enabled messaging service to another
25 user of the same messaging service,

1 except a message described in clause
2 (ii).

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

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

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

18 “(ii) includes transmissions from a
19 telephone facsimile machine, computer, or
20 other device to a telephone facsimile ma-
21 chine.”.

22 (3) TECHNICAL AMENDMENT.—Section 227(e)
23 of the Communications Act of 1934 (47 U.S.C.
24 227(e)) is amended in the heading by inserting
25 “MISLEADING OR” before “INACCURATE”.

1 (4) REGULATIONS.—

2 (A) IN GENERAL.—Section 227(e)(3)(A) of
3 the Communications Act of 1934 (47 U.S.C.
4 227(e)(3)(A)) is amended by striking “Not
5 later than 6 months after the date of enactment
6 of the Truth in Caller ID Act of 2009, the
7 Commission” and inserting “The Commission”.

8 (B) DEADLINE.—The Commission shall
9 prescribe regulations to implement the amend-
10 ments made by this subsection not later than
11 18 months after the date of enactment of this
12 Act.

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

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

20 (1) DEVELOPMENT OF MATERIALS.—Not later
21 than 1 year after the date of enactment of this Act,
22 the Commission, in coordination with the Federal
23 Trade Commission, shall develop consumer edu-
24 cation materials that provide information about—

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

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

8 (2) CONTENTS.—In developing the consumer
9 education materials under paragraph (1), the Com-
10 mission shall—

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

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

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

23 (B) provide other information that may
24 help consumers identify and avoid scams and
25 other fraudulent activity that rely upon the use

1 of misleading or inaccurate caller identification
2 information.

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

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

9 (c) GAO REPORT ON COMBATING THE FRAUDULENT
10 PROVISION OF MISLEADING OR INACCURATE CALLER
11 IDENTIFICATION INFORMATION.—

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

19 (2) REQUIRED CONSIDERATIONS.—In con-
20 ducting the study under paragraph (1), the Comp-
21 troller General shall examine—

22 (A) trends in the types of scams that rely
23 on misleading or inaccurate caller identification
24 information;

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

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

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

19 (3) REPORT.—Not later than 18 months after
20 the date of enactment of this Act, the Comptroller
21 General shall submit to the Committee on Energy
22 and Commerce of the House of Representatives and
23 the Committee on Commerce, Science, and Trans-
24 portation of the Senate a report on the findings of
25 the study under paragraph (1), including any rec-

1 ommendations regarding combating the fraudulent
2 provision of misleading or inaccurate caller identi-
3 fication information.

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

8 (1) the Telephone Consumer Protection Act of
9 1991 (Public Law 102–243; 105 Stat. 2394) or the
10 amendments made by that Act; or

11 (2) the CAN–SPAM Act of 2003 (15 U.S.C.
12 7701 et seq.).

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

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

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

20 “(a) **SYSTEM MANUFACTURE, IMPORTATION, SALE,**
21 **AND LEASE.**—A person engaged in the business of manu-
22 facturing, importing, selling, or leasing multi-line tele-
23 phone systems may not manufacture or import for use in
24 the United States, or sell or lease or offer to sell or lease
25 in the United States, a multi-line telephone system, unless

1 such system is pre-configured such that, when properly in-
2 stalled in accordance with subsection (b), a user may di-
3 rectly initiate a call to 9–1–1 from any station equipped
4 with dialing facilities, without dialing any additional digit,
5 code, prefix, or post-fix, including any trunk-access code
6 such as the digit ‘9’, regardless of whether the user is re-
7 quired to dial such a digit, code, prefix, or post-fix for
8 other calls.

9 “(b) SYSTEM INSTALLATION, MANAGEMENT, AND
10 OPERATION.—A person engaged in the business of install-
11 ing, managing, or operating multi-line telephone systems
12 may not install, manage, or operate for use in the United
13 States such a system, unless such system is configured
14 such that a user may directly initiate a call to 9–1–1 from
15 any station equipped with dialing facilities, without dialing
16 any additional digit, code, prefix, or post-fix, including any
17 trunk-access code such as the digit ‘9’, regardless of
18 whether the user is required to dial such a digit, code,
19 prefix, or post-fix for other calls.

20 “(c) ON-SITE NOTIFICATION.—A person engaged in
21 the business of installing, managing, or operating multi-
22 line telephone systems shall, in installing, managing, or
23 operating such a system for use in the United States, con-
24 figure the system to provide a notification to a central lo-
25 cation at the facility where the system is installed or to

1 another person or organization regardless of location, if
2 the system is able to be configured to provide the notifica-
3 tion without an improvement to the hardware or software
4 of the system.

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

10 “(e) ENFORCEMENT.—This section shall be enforced
11 under title V, except that section 501 applies only to the
12 extent that such section provides for the punishment of
13 a fine.

14 “(f) MULTI-LINE TELEPHONE SYSTEM DEFINED.—
15 In this section, the term ‘multi-line telephone system’ has
16 the meaning given such term in section 6502 of the Middle
17 Class Tax Relief and Job Creation Act of 2012 (47 U.S.C.
18 1471).”.

19 (b) EFFECTIVE DATE.—

20 (1) IN GENERAL.—Except as provided in para-
21 graph (2), section 721 of the Communications Act
22 of 1934, as added by subsection (a) of this section,
23 shall apply beginning on the date that is 2 years
24 after the date of the enactment of this Act.

1 (2) EXCEPTION.—Subsection (b) or (c) of such
2 section 721 shall not apply to a multi-line telephone
3 system that was installed before the date that is 2
4 years after the date of the enactment of this Act if
5 such system is not able to be configured to meet the
6 requirement of such subsection (b) or (c), respec-
7 tively, without an improvement to the hardware or
8 software of the system.

9 **SEC. 606. REPORT ON PROMOTING BROADBAND INTERNET**
10 **ACCESS SERVICE FOR VETERANS.**

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

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

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

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

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

8 **SEC. 607. METHODOLOGY FOR COLLECTION OF MOBILE**
9 **SERVICE COVERAGE DATA.**

10 (a) DEFINITIONS.—In this section—

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

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

18 (3) the term “coverage data” means, if com-
19 mercial mobile service or commercial mobile data
20 service is available, general information about the
21 service, which may include available speed tiers and
22 performance characteristics; and

23 (4) the term “Universal Service program”
24 means the universal service support mechanisms es-
25 tablished under section 254 of the Communications

1 Act of 1934 (47 U.S.C. 254) and the regulations
2 issued under that section.

3 (b) **METHODOLOGY ESTABLISHED.**—Not later than
4 180 days after the conclusion of Auction 903, the Commis-
5 sion shall promulgate regulations to establish a method-
6 ology that shall apply to the collection of coverage data
7 by the Commission for the purposes of—

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

10 (c) **REQUIREMENTS.**—The methodology established
11 under subsection (b) shall—

12 (1) contain standard definitions for different
13 available technologies such as 2G, 3G, 4G, and 4G
14 LTE;

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

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

19 (4) increase the efficiency of coverage data col-
20 lection.

21 **SEC. 608. ACCURACY OF 9-1-1 CALL LOCATION INFORMA-**
22 **TION.**

23 (a) **PROCEEDING REQUIRED.**—Not later than 18
24 months after the date of the enactment of this Act, the
25 Commission shall conclude a proceeding to consider adopt-

1 ing rules to ensure that call location information is con-
2 veyed with a 9-1-1 call, regardless of the technological
3 platform used and including with calls from multi-line
4 telephone systems (as defined in section 6502 of the Mid-
5 dle Class Tax Relief and Job Creation Act of 2012 (47
6 U.S.C. 1471)).

7 (b) RELATIONSHIP TO OTHER PROCEEDINGS.—In
8 conducting the proceeding required by subsection (a), the
9 Commission may consider information and conclusions
10 from other Commission proceedings regarding the accu-
11 racy of call location information, but nothing in this sec-
12 tion shall be construed to require the Commission to re-
13 consider any information or conclusion from a proceeding
14 regarding the accuracy of call location information in
15 which the Commission has adopted rules or issued an
16 order before the date of the enactment of this Act.

17 (c) OTHER AUTHORITY.—In addition to the authority
18 to adopt any rules the Commission finds to be necessary
19 in the proceeding required by subsection (a), the Commis-
20 sion shall have the authority to adopt any other rules,
21 technical standards, protocols, and procedures as are nec-
22 essary to ensure that call location information is conveyed
23 as described in such subsection.

24 (d) DEFINITIONS.—In this section:

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

7 (2) CALL LOCATION INFORMATION.—The term
8 “call location information” means accurate and
9 timely information regarding the location of the call-
10 er, as determined to be technically feasible and
11 achievable by the Commission.

12 **SEC. 609. INTERAGENCY COMMUNICATIONS SECURITY**
13 **COMMITTEE.**

14 (a) ESTABLISHMENT.—Not later than 6 months after
15 the date of the enactment of this Act, the Assistant Sec-
16 retary of Commerce for Communications and Information
17 shall establish an advisory committee to be known as the
18 Interagency Communications Security Committee (in this
19 section referred to as the “Committee”).

20 (b) DUTIES.—The Committee shall—

21 (1) review each communications security report
22 submitted to the Committee under subsection (d) or
23 (f);

1 (2) recommend investigation to relevant agen-
2 cies into any such communications security report;
3 and

4 (3) issue regular reports containing the results
5 of any such investigation, the Committee's findings
6 following each communications security incident, and
7 policy recommendations that may arise from each
8 communications security incident to the following:

9 (A) The agencies represented on the Com-
10 mittee.

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

13 (C) The Committee on Commerce, Science,
14 and Transportation of the Senate.

15 (D) The Permanent Select Committee on
16 Intelligence of the House of Representatives.

17 (E) The Select Committee on Intelligence
18 of the Senate.

19 (F) The Armed Services Committee of the
20 House of Representatives.

21 (G) The Armed Services Committee of the
22 Senate.

23 (H) The Committee on Homeland Security
24 of the House of Representatives.

1 (I) The Committee on Homeland Security
2 and Governmental Affairs of the Senate.

3 (J) The Foreign Affairs Committee of the
4 House of Representatives.

5 (K) The Foreign Relations Committee of
6 the Senate.

7 (c) MEMBERSHIP.—The Committee shall be com-
8 posed of 8 members, who shall each possess the appro-
9 priate access to classified information commensurate with
10 the sensitivity of the classified information such members
11 shall access in the course of service on the Committee. The
12 members of the Committee shall include only—

13 (1) one appointee from the National Tele-
14 communications and Information Administration, to
15 be appointed by the Assistant Secretary of Com-
16 merce for Communications and Information, who
17 shall serve as Chair of the Committee;

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

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

23 (4) one appointee from the Department of Jus-
24 tice, to be appointed by the Attorney General of the
25 United States;

1 (5) one appointee from the intelligence commu-
2 nity, to be appointed by the Director of National In-
3 telligence;

4 (6) one appointee from the National Institute of
5 Standards and Technology, to be appointed by the
6 Director of the National Institute of Standards and
7 Technology;

8 (7) one appointee from the Federal Commu-
9 nications Commission, who shall not be a member of
10 the Commission, to be appointed by the Chair of the
11 Commission; and

12 (8) one appointee from the Office of Manage-
13 ment and Budget, to be appointed by the Director
14 of the Office of Management and Budget.

15 (d) PUBLIC COMMUNICATIONS SECURITY RE-
16 PORTS.—The Committee shall consider communications
17 security reports from communications network providers.

18 (e) APPLICATION OF CRITICAL INFRASTRUCTURE IN-
19 FORMATION PROTECTIONS.—For purposes of subtitle B
20 of title II of the Homeland Security Act of 2002 (6 U.S.C.
21 131 et seq.)—

22 (1) communications networks shall be treated
23 as critical infrastructure and protected systems de-
24 fined in sections 2(4) and 212(6), respectively, of

1 the Homeland Security Act of 2002 (6 U.S.C.
2 101(4); 6 U.S.C. 131(6)); and

3 (2) with respect to critical infrastructure infor-
4 mation relating to communications networks, the
5 National Telecommunications and Information Ad-
6 ministration (in addition to the Department of
7 Homeland Security) shall be treated as a covered
8 Federal agency defined in section 212(2) of such
9 Act.

10 (f) AGENCY COMMUNICATIONS SECURITY RE-
11 PORTS.—Not less frequently than every 3 months, the
12 head of each agency shall submit to the Committee a re-
13 port of each communications security incident for the pre-
14 vious 3 months.

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

18 (h) DEFINITIONS.—In this section:

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

22 (2) COMMUNICATIONS NETWORK.—The term
23 “communications network” means a network for the
24 provision of wireline or mobile telephone service,
25 Internet access service, radio or television broad-

1 casting, cable service, direct broadcast satellite serv-
2 ice, or any other communications service.

3 (3) COMMUNICATIONS SECURITY INCIDENT.—

4 The term “communications security incident” means
5 any compromise, whether electronic or otherwise, of
6 any telecommunications system that the agency has
7 reason to believe—

8 (A) resulted in Government-held or private
9 information, including passwords and other
10 similar means of access, being viewed or ex-
11 tracted; or

12 (B) resulted in the presence of outside pro-
13 gramming on an agency computer or other elec-
14 tronic device.

15 (4) COMMUNICATIONS SECURITY REPORT.—The
16 term “communications security report” means a de-
17 scription of a communications security incident or
18 multiple communications security incidents referred
19 to the Committee.

