

115TH CONGRESS
1ST SESSION

H. R. 2903

To direct the Federal Communications Commission to promulgate regulations that establish a national standard for determining whether mobile and broadband services available in rural areas are reasonably comparable to those services provided in urban areas.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2017

Mr. MCKINLEY (for himself and Mr. WELCH) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To direct the Federal Communications Commission to promulgate regulations that establish a national standard for determining whether mobile and broadband services available in rural areas are reasonably comparable to those services provided in urban areas.

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 “Rural Reasonable and
5 Comparable Wireless Access Act of 2017”.

1 **SEC. 2. AVAILABILITY OF MOBILE AND BROADBAND SERV-**
2 **ICES IN UNDERSERVED RURAL AREAS.**

3 (a) IN GENERAL.—Not later than 180 days after the
4 date of the enactment of this Act, the Commission shall
5 promulgate regulations that establish a national standard
6 for determining, for purposes of rural, insular, and high
7 cost universal service support pursuant to subsection
8 (b)(3) of section 254 of the Communications Act of 1934
9 (47 U.S.C. 254), whether commercial mobile service, com-
10 mercial mobile data service, and broadband internet access
11 service available in rural areas are reasonably comparable
12 to those services provided in urban areas.

13 (b) UNDERSERVED RURAL AREAS.—The standard
14 established under subsection (a) shall—

15 (1) define a “rural area” as any area that is ei-
16 ther—

17 (A) a rural area (as defined in paragraph
18 (1) of section 54.600(b) of title 47, Code of
19 Federal Regulations); or

20 (B) a service area (as defined in section
21 214(e) of the Communications Act of 1934 (47
22 U.S.C. 214(e))) served by a rural telephone
23 company (as defined in section 3 of such Act
24 (47 U.S.C. 153));

25 (2) define a rural area as “underserved”, with
26 respect to a service described in subsection (a), if

1 service that meets or exceeds the standard estab-
2 lished under such subsection is not available in the
3 area; and

4 (3) provide that a rural area will be considered
5 “underserved”, with respect to a service described in
6 subsection (a), if tests show that the service avail-
7 able in the area does not meet or exceed the applica-
8 ble averages determined under subsection (c)(1).

9 (c) DATA FROM URBAN AREAS.—The Commission
10 shall—

11 (1) gather data on average signal strengths and
12 average speeds of commercial mobile service and
13 commercial mobile data service, and on average
14 speeds of broadband internet access service, provided
15 in the 20 most populous metropolitan statistical
16 areas; and

17 (2) specify in the standard established under
18 subsection (a) that—

19 (A) commercial mobile service or commer-
20 cial mobile data service available in rural areas
21 is reasonably comparable to that service pro-
22 vided in urban areas only if the average signal
23 strengths and average speeds meet or exceed
24 the averages determined under paragraph (1)
25 for such service; and

1 (B) broadband internet access service
2 available in rural areas is reasonably com-
3 parable to that service provided in urban areas
4 only if the average speeds meet or exceed the
5 averages determined under paragraph (1) for
6 such service.

7 (d) PERIODIC UPDATING OF DATA.—The Commis-
8 sion shall periodically update the data gathered under sub-
9 section (c)(1).

10 (e) DEFINITIONS.—In this section:

11 (1) BROADBAND INTERNET ACCESS SERVICE.—
12 The term “broadband internet access service” means
13 a mass-market retail service by wire or radio that
14 provides the capability to transmit data to and re-
15 ceive data from all or substantially all internet
16 endpoints, including any capabilities that are inci-
17 dental to and enable the operation of the commu-
18 nications service, but excluding dial-up internet ac-
19 cess service. Such term includes any service that the
20 Commission finds to be providing a functional equiv-
21 alent of the service described in the previous sen-
22 tence.

23 (2) COMMERCIAL MOBILE SERVICE.—The term
24 “commercial mobile service” has the meaning given

1 such term in section 332 of the Communications Act
2 of 1934 (47 U.S.C. 332).

3 (3) COMMERCIAL MOBILE DATA SERVICE.—The
4 term “commercial mobile data service” has the
5 meaning given such term in section 6001 of the Mid-
6 dle Class Tax Relief and Job Creation Act of 2012
7 (47 U.S.C. 1401).

8 (4) COMMISSION.—The term “Commission”
9 means the Federal Communications Commission.

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