To amend the Communications Act of 1934 to reauthorize appropriations for the Federal Communications Commission, to provide for certain procedural changes to the rules of the Commission to maximize opportunities for public participation and efficient decisionmaking, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. BLACKBURN introduced the following bill; which was referred to the Committee on

A BILL

To amend the Communications Act of 1934 to reauthorize appropriations for the Federal Communications Commission, to provide for certain procedural changes to the rules of the Commission to maximize opportunities for public participation and efficient decisionmaking, and for other purposes.

1 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “FCC Reauthorization Act of 2018”.

(b) TABLE OF CONTENTS.—The table of contents for 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. 203. Effect on other laws.
Sec. 204. Application of Antideficiency Act to Universal Service Program.
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.

SEC. 2. COMMISSION DEFINED.

In this Act, the term “Commission” means the Federal Communications Commission.

TITLE I—FCC REAUTHORIZATION

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 6 of the Communications Act of 1934 (47 U.S.C. 156) is amended to read as follows:

“SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

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

“(b) OFFSETTING COLLECTIONS.—

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

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

“(3) DEPOSIT OF EXCESS COLLECTIONS.—Any fees collected in excess of the total amount of fees provided for in Appropriations Acts for a fiscal year shall be deposited in the general fund of the Treasury of the United States for the sole purpose of deficit reduction.”.

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

(1) in the first sentence, by striking “an interest bearing account” and all that follows and inserting “the Treasury”;

(2) in clause (i)—

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

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

(3) in clause (ii), by striking “; and” and inserting “, and payments representing the return of
such deposits shall not be subject to administrative
offset under section 3716(e) of title 31, United
States Code.”; and

(4) by striking clause (iii).

(c) Elimination of Duplicative Authorization
Of Appropriations.—

(1) In General.—Section 710 of the Tele-
communications Act of 1996 (Public Law 104–104)
is repealed.

(2) Conforming Amendment.—The table of
contents in section 2 of such Act is amended by
striking the item relating to section 710.

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

SEC. 102. APPLICATION AND REGULATORY FEES.

(a) In General.—Section 9 of the Communications
Act of 1934 (47 U.S.C. 159) is amended to read as fol-

“SEC. 9. APPLICATION AND REGULATORY FEES.

“(a) General Authority.—The Commission shall assess and collect application fees and regulatory fees to recover the costs of carrying out the activities described in section 6(a) only to the extent and in the amounts provided for in advance in Appropriations Acts.

“(b) Application Fees.—

“(1) In general.—The Commission shall assess and collect application fees at such rates as the Commission shall establish in a schedule of application fees to recover the costs of the Commission to process applications.

“(2) Adjustment of schedule.—

“(A) In general.—In every even-numbered year, the Commission shall review the schedule of application fees established under this subsection and, except as provided in subparagraph (B), set a new amount for each fee in the schedule that is equal to the amount of the fee on the date when the fee was established or the date when the fee was last amended under paragraph (3), whichever is later—

“(i) increased or decreased by the percentage change in the Consumer Price Index during the period beginning on such
date and ending on the date of the review;

and

“(ii) rounded to the nearest $5 increment.

“(B) Threshold for Adjustment.—

The Commission may not adjust a fee under subparagraph (A) if—

“(i) in the case of a fee the current amount of which is less than $200, the adjustment would result in a change in the current amount of less than $10; or

“(ii) in the case of a fee the current amount of which is $200 or more, the adjustment would result in a change in the current amount of less than 5 percent.

“(C) Current Amount Defined.—In subparagraph (B), the term ‘current amount’ means, with respect to a fee, the amount of the fee on the date when the fee was established, the date when the fee was last adjusted under subparagraph (A), or the date when the fee was last amended under paragraph (3), whichever is latest.

“(3) Amendments.—In addition to the adjustments required by paragraph (2), the Commission
shall by rule amend the schedule of application fees established under this subsection if the Commission determines that the schedule requires amendment so that such fees reflect increases or decreases in the costs of processing applications at the Commission and the consolidation or addition of new categories of applications.

“(c) Regulatory Fees.—

“(1) In general.—The Commission shall assess and collect regulatory fees at such rates as the Commission shall establish in a schedule of regulatory fees that will result in the collection, in each fiscal year, of an amount that can reasonably be expected to equal the difference between—

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

“(B) the amount of application fees reasonably expected to be collected in such fiscal year.

“(2) Adjustment of schedule.—

“(A) In general.—For each fiscal year, the Commission shall by rule adjust the schedule of regulatory fees established under this subsection to—
“(i) reflect unexpected increases or
decreases in the number of units subject to
the payment of such fees; and

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

“(B) Rounding.—In making adjustments
under this paragraph, the Commission may
round fees to the nearest $5 increment.

“(3) Amendments.—In addition to the adjust-
ments required by paragraph (2), the Commission
shall by rule amend the schedule of regulatory fees
established under this subsection if the Commission
determines that the schedule requires amendment so
that such fees reflect the full-time equivalent number
of employees within the bureaus and offices of the
Commission, adjusted to take into account factors
that are reasonably related to the benefits provided
to the payor of the fee by the Commission’s activi-
ties. In making an amendment under this para-
graph, the Commission may not change the total
amount of regulatory fees required by paragraph (1)
to be collected in a fiscal year.

“(d) Judicial Review Prohibited.—An adjust-
ment or amendment to a schedule of fees under subsection
(b) or (c) is not subject to judicial review.
“(e) NOTICE TO CONGRESS.—The Commission shall transmit to Congress notification—

“(1) of any adjustment under subsection (b)(2) or (c)(2) immediately upon the adoption of such adjustment; and

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

“(f) ENFORCEMENT.—

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

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

“(3) DISMISSAL OF APPLICATIONS OR FILINGS.—The Commission may dismiss any application or other filing for failure to pay in a timely
manner any fee, interest, or penalty under this sec-

“(4) Revocations.—

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

“(B) Notice.—Revocation action may be taken by the Commission under this paragraph after notice of the Commission’s intent to take such action is sent to the licensee by registered mail, return receipt requested, at the licensee’s last known address. The notice shall provide the licensee at least 30 days to either pay the fee, interest, and any penalty or show cause why the fee, interest, or penalty does not apply to the licensee or should otherwise be waived or payment deferred.

“(C) Hearing.—

“(i) Generally not required.—A hearing is not required under this paragraph unless the licensee’s response pre-
sents a substantial and material question of fact.

“(ii) Evidence and Burdens.—In any case where a hearing is conducted under this paragraph, the hearing shall be based on written evidence only, and the burden of proceeding with the introduction of evidence and the burden of proof shall be on the licensee.

“(iii) Costs.—Unless the licensee substantially prevails in the hearing, the Commission may assess the licensee for the costs of such hearing.

“(D) Opportunity to Pay Prior to Revocation.—Any Commission order adopted under this paragraph shall determine the amount due, if any, and provide the licensee with at least 30 days to pay that amount or have its authorization revoked.

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

“(g) Waiver, Reduction, and Deferralment.—The Commission may waive, reduce, or defer payment of a fee,
interest charge, or penalty in any specific instance for
good cause shown, if such action would promote the public
interest.

“(h) Payment Rules.—The Commission shall by
rule permit payment—

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

“(2) in the case of fees in small amounts, in ad-

vance for a number of years not to exceed the term
of the license held by the payor.

“(i) Exceptions.—

“(1) Parties to which fees are not appli-
cable.—

“(A) Application Fees.—The application
fees established under this section shall not be
applicable to—

“(i) a governmental entity; or

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

“(B) Regulatory Fees.—The regulatory
fees established under this section shall not be
applicable to—
“(i) a governmental entity or non-profit entity; or
“(ii) an amateur radio operator licensee under part 97 of the Commission’s rules (47 C.F.R. part 97).

“(2) COST OF COLLECTION.—

“(A) APPLICATION FEES.—If, in the judgment of the Commission, the cost of collecting an application fee established under this section would exceed the amount collected, the Commission may by rule eliminate such fee.

“(B) REGULATORY FEES.—If, in the judgment of the Commission, the cost of collecting a regulatory fee established under this section from a party would exceed the amount collected from such party, the Commission may exempt such party from paying such fee.

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

(b) CONFORMING AMENDMENTS.—The Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended—

(1) by repealing section 8; and

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

(c) Transitional Rules.—

(1) Application Fees.—An application fee established under section 8 of the Communications Act of 1934, as such section is in effect on the day before the effective date described in section 103 of this Act, shall remain in effect under subsection (b) of section 9 of the Communications Act of 1934, as amended by subsection (a) of this section, until such time as the Commission adjusts or amends such fee under subsection (b)(2) or (b)(3) of such section 9, as so amended.

(2) Regulatory Fees.—A regulatory fee established under section 9 of the Communications Act of 1934, as such section is in effect on the day before the effective date described in section 103 of this Act, shall remain in effect under subsection (c) of section 9 of the Communications Act of 1934, as amended by subsection (a) of this section, until such time as the Commission adjusts or amends such fee under subsection (c)(2) or (c)(3) of such section 9, as so amended.

(d) Rulemaking to Amend Schedule of Regulatory Fees.—
(1) IN GENERAL.—Not later than 1 year after the effective date described in section 103, the Commission shall complete a rulemaking proceeding under subsection (c)(3) of section 9 of the Communications Act of 1934, as amended by subsection (a) of this section.

(2) REPORT TO CONGRESS.—If the Commission has not completed the rulemaking proceeding required by paragraph (1) by the date that is 6 months after the effective date described in section 103, the Commission shall submit to Congress a report on the progress of such rulemaking proceeding.

SEC. 103. EFFECTIVE DATE.

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

TITLE II—FCC PROCESS REFORM

SEC. 201. FCC PROCESS REFORM.

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

“SEC. 13. TRANSPARENCY AND EFFICIENCY.

“(a) INITIAL RULEMAKING AND INQUIRY.—

“(1) RULEMAKING.—Not later than 1 year after the date of the enactment of this section, the
Commission shall complete a rulemaking proceeding and adopt procedural changes to its rules to maximize opportunities for public participation and efficient decisionmaking.

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

“(A) set minimum comment periods for comment and reply comment, subject to a determination by the Commission that good cause exists for departing from such minimum comment periods, for—

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

“(ii) all other rulemaking proceedings;

“(B) establish policies concerning the submission of extensive new comments, data, or reports towards the end of the comment period;

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

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

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

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

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

“(II) information regarding the amount of time for which such requests have been pending, broken down as described in subclause (I); and

“(iii) a list of the congressional investigations of the Commission that were pending on the last day of such quarter (or more frequent period, as the case may be) and the cost of such investigations, individually and in the aggregate;

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

“(i) in the case of a petition for a declaratory ruling under section 1.2 of title 47, Code of Federal Regulations, issuing a public notice of such petition;

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

“(iii) in the case of a petition for reconsideration under section 1.106 or 1.429
of such title or an application for review
under section 1.115 of such title, issuing a
public notice of a decision on the petition
or application by the Commission or under
delegated authority (as the case may be);
“(F) establish guidelines (relative to the
date of filing) for the disposition of petitions
filed under section 1.2 of such title;
“(G) establish procedures for the inclusion
of the specific language of the proposed rule or
the proposed amendment of an existing rule in
a notice of proposed rulemaking; and
“(H) require notices of proposed rule-
making and orders adopting a rule or amending
an existing rule that—
“(i) create (or propose to create) a
program activity to contain performance
measures for evaluating the effectiveness of
the program activity; and
“(ii) substantially change (or propose
to substantially change) a program activity
to contain—
“(I) performance measures for
evaluating the effectiveness of the pro-
gram activity as changed (or proposed to be changed); or

“(II) a finding that existing performance measures will effectively evaluate the program activity as changed (or proposed to be changed).

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

“(A) establish procedures for allowing a bipartisan majority of Commissioners to place an order, decision, report, or action on the agenda of an open meeting;

“(B) establish procedures for informing all Commissioners of a reasonable number of options available to the Commission for resolving a petition, complaint, application, rulemaking, or other proceeding;

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

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

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

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

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

“(4) DATA FOR PERFORMANCE MEASURES.—

The Commission shall develop a performance meas-
ure or proposed performance measure required by this subsection to rely, where possible, on data already collected by the Commission.

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

“(b) **PERIODIC REVIEW.**—On the date that is 5 years after the completion of the rulemaking proceeding under subsection (a)(1), and every 5 years thereafter, the Commission shall initiate a new rulemaking proceeding to continue to consider such procedural changes to its rules as may be in the public interest to maximize opportunities for public participation and efficient decisionmaking.

“(c) **NONPUBLIC COLLABORATIVE DISCUSSIONS.**—

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

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

“(B) each person present at such meeting is a Commissioner, an employee of the Commis-
sion, a member of a joint board or conference established under section 410, or a person on the staff of such a joint board or conference or of a member of such a joint board or conference; and

“(C) an attorney from the Office of General Counsel of the Commission is present at such meeting.

“(2) DISCLOSURE OF NONPUBLIC COLLABORATIVE DISCUSSIONS.—Not later than 2 business days after the conclusion of a meeting held under paragraph (1), the Commission shall publish a disclosure of such meeting, including—

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

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

“(3) PRESERVATION OF OPEN MEETINGS REQUIREMENTS FOR AGENCY ACTION.—Nothing in this subsection shall limit the applicability of section 552b of title 5, United States Code, with respect to a meeting of Commissioners other than that described in paragraph (1).
“(d) Access to Certain Information on Commission’s Website.—The Commission shall provide direct access from the homepage of its website to—

“(1) detailed information regarding—

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

“(B) the appropriations for the Commission for such fiscal year; and

“(C) the total number of full-time equivalent employees of the Commission; and

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

“(e) Internet Publication of Certain FCC Policies and Procedures.—The chairman of the Commission shall—

“(1) publish on the Internet website of the Commission any policies or procedures of the Commission that—

“(A) are established by the chairman; and

“(B) relate to the functioning of the Commission or the handling of the agenda of the Commission; and
“(2) update such publication not later than 48 hours after the chairman makes changes to any such policies or procedures.

“(f) Federal Register Publication.—

“(1) In General.—In the case of any document adopted by the Commission that the Commission is required, under any provision of law, to publish in the Federal Register, the Commission shall, not later than the date described in paragraph (2), complete all Commission actions necessary for such document to be so published.

“(2) Date Described.—The date described in this paragraph is the earlier of—

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

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

“(3) No Effect on Deadlines for Publication in Other Form.—In the case of a deadline that does not specify that the form of publication is publication in the Federal Register, the Commission may comply with such deadline by publishing the document in another form. Such other form of publication does not relieve the Commission of any Fed-
eral Register publication requirement applicable to such document, including the requirement of paragraph (1).

“(g) CONSUMER COMPLAINT DATABASE.—

“(1) IN GENERAL.—In evaluating and processing consumer complaints, the Commission shall present information about such complaints in a publicly available, searchable database on its website that—

“(A) facilitates easy use by consumers; and

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

“(i) the date of the filing of the complaint;

“(ii) the topic of the complaint;

“(iii) the party complained of; and

“(iv) other elements that the Commission considers in the public interest.

“(2) DUPLICATIVE COMPLAINTS.—In the case of multiple complaints arising from the same alleged misconduct, the Commission shall be required to include only information concerning one such complaint in the database described in paragraph (1).

“(h) FORM OF PUBLICATION.—
“(1) IN GENERAL.—In complying with a requirement of this section to publish a document, the Commission shall publish such document on its website, in addition to publishing such document in any other form that the Commission is required to use or is permitted to and chooses to use.

“(2) EXCEPTION.—The Commission shall by rule establish procedures for redacting documents required to be published by this section so that the published versions of such documents do not contain—

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

“(B) information that is proprietary or confidential.

“(i) TRANSPARENCY RELATING TO PERFORMANCE IN MEETING FOIA REQUIREMENTS.—The Commission shall take additional steps to inform the public about its performance and efficiency in meeting the disclosure and other requirements of section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), including by doing the following:
“(1) Publishing on the Commission’s website the Commission’s logs for tracking, responding to, and managing requests submitted under such section, including the Commission’s fee estimates, fee categories, and fee request determinations.

“(2) Releasing to the public all decisions made by the Commission (including decisions made by the Commission’s Bureaus and Offices) granting or denying requests filed under such section, including any such decisions pertaining to the estimate and application of fees assessed under such section.

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

“(4) Presenting information about the Commission’s handling of requests under such section in the Commission’s annual budget estimates submitted to Congress and the Commission’s annual performance and financial reports. Such information shall include the number of requests under such section the Commission received in the most recent fiscal year, the number of such requests granted and denied, a comparison of the Commission’s processing of such requests over at least the previous 3 fiscal years, and a comparison of the Commission’s results with the
most recent average for the United States Government as published on www.foia.gov.

“(j) Prompt Release of Statistical Reports and Reports to Congress.—Not later than January 15th of each year, the Commission shall identify, catalog, and publish an anticipated release schedule for all statistical reports and reports to Congress that are regularly or intermittently released by the Commission and will be released during such year.

“(k) Annual Scorecard Reports.—

“(1) In general.—For the 1-year period beginning on January 1st of each year, the Commission shall prepare a report on the performance of the Commission in conducting its proceedings and meeting the deadlines established under subsection (a)(2)(E) and the guidelines established under subsection (a)(2)(F).

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

“(A) with respect to each type of filing specified in subsection (a)(2)(E) or (a)(2)(F)—
“(i) the number of filings that were pending on the last day of the period covered by such report;

“(ii) the number of filings described in clause (i) for which each applicable deadline or guideline established under such subsection was not met and the average length of time such filings have been pending; and

“(iii) for filings that were resolved during such period, the average time between initiation and resolution and the percentage for which each applicable deadline or guideline established under such subsection was met;

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

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

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

“(C) the number of independent studies or analyses published by the Commission during such period.
“(3) Publication and Submission.—The Commission shall publish and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate each report required by paragraph (1) not later than the date that is 30 days after the last day of the period covered by such report.

“(l) Definitions.—In this section:

“(1) Amendment.—The term ‘amendment’ includes, when used with respect to an existing rule, the deletion of such rule.

“(2) Bipartisan majority.—The term ‘bipartisan majority’ means, when used with respect to a group of Commissioners, that such group—

“(A) is a group of three or more Commissioners; and

“(B) includes, for each political party of which any Commissioner is a member, at least one Commissioner who is a member of such political party, and, if any Commissioner has no political party affiliation, at least one unaffiliated Commissioner.

“(3) Performance measure.—The term ‘performance measure’ means an objective and quantifi-
able outcome measure or output measure (as such terms are defined in section 1115 of title 31, United States Code).

“(4) PROGRAM ACTIVITY.—The term ‘program activity’ has the meaning given such term in section 1115 of title 31, United States Code, except that such term also includes any annual collection or distribution or related series of collections or distributions by the Commission of an amount that is greater than or equal to $100,000,000.

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

(b) EFFECTIVE DATES AND IMPLEMENTING RULES.—

(1) EFFECTIVE DATES.—

(A) NONPUBLIC COLLABORATIVE DISCUSSIONS.—Subsection (c) of section 13 of the Communications Act of 1934, as added by subsection (a), shall apply beginning on the first date on which all of the procedural changes to the rules of the Commission required by subsection (a)(1) of such section have taken effect.
(B) REPORT RELEASE SCHEDULES.—Subsection (j) of such section 13 shall apply with respect to 2018 and any year thereafter.

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

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

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

SEC. 202. CATEGORIZATION OF TCPA INQUIRIES AND COMPLAINTS IN QUARTERLY REPORT.

In compiling its quarterly report with respect to informal consumer inquiries and complaints, the Commission may not categorize an inquiry or complaint with respect to section 227 of the Communications Act of 1934 (47 U.S.C. 227) as being a wireline inquiry or complaint or a wireless inquiry or complaint unless the party whose
concern is the subject of the inquiry or complaint is a
wireline carrier or a wireless carrier, respectively.

SEC. 203. EFFECT ON OTHER LAWS.

Nothing in this title or the amendments made by this

title shall relieve the Commission from any obligations
under title 5, United States Code, except where otherwise
expressly provided.

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

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

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

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

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

(2) recommendations for any legislation that
the Commission considers appropriate to improve
such participation.
SEC. 206. TIMELY AVAILABILITY OF ITEMS ADOPTED BY VOTE OF THE COMMISSION.

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

“(o) In the case of any item that is adopted by vote of the Commission, the Commission shall publish on the Internet website of the Commission the text of such item not later than 24 hours after the Secretary of the Commission has received dissenting statements from all Commissioners wishing to submit such a statement with respect to such item.”.

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

TITLE III—AMATEUR RADIO PARITY

SEC. 301. FINDINGS.

Congress finds the following:

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

(2) Amateur radio, at no cost to taxpayers, provides a fertile ground for technical self-training in modern telecommunications, electronics technology,
and emergency communications techniques and protocols.

(3) There is a strong Federal interest in the effective performance of amateur stations established at the residences of licensees. Such stations have been shown to be frequently and increasingly precluded by unreasonable private land use restrictions, including restrictive covenants.

(4) Commission regulations have for three decades prohibited the application to stations in the amateur service of State and local regulations that preclude or fail to reasonably accommodate amateur service communications, or that do not constitute the minimum practicable regulation to accomplish a legitimate State or local purpose. Commission policy has been and is to require States and localities to permit erection of a station antenna structure at heights and dimensions sufficient to accommodate amateur service communications.

(5) The Commission has sought guidance and direction from Congress with respect to the application of the Commission’s limited preemption policy regarding amateur service communications to private land use restrictions, including restrictive covenants.
(6) There are aesthetic and common property considerations that are uniquely applicable to private land use regulations and the community associations obligated to enforce covenants, conditions, and restrictions in deed-restricted communities. These considerations are dissimilar to those applicable to State law and local ordinances regulating the same residential amateur radio facilities.

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

(8) Community associations should fairly administer private land use regulations in the interest of their communities, while nevertheless permitting the installation and maintenance of effective outdoor amateur radio antennas. There exist antenna designs and installations that can be consistent with the aesthetics and physical characteristics of land and structures in community associations while accommodating communications in the amateur radio services.
SEC. 302. APPLICATION OF PRIVATE LAND USE RESTRICTIONS TO AMATEUR STATIONS.

(a) Amendment of FCC Rules.—Not later than 120 days after the date of the enactment of this Act, the Commission shall amend section 97.15 of title 47, Code of Federal Regulations, by adding a new paragraph that prohibits the application to amateur stations of any private land use restriction, including a restrictive covenant, that—

(1) on its face or as applied, precludes communications in an amateur radio service;

(2) fails to permit a licensee in an amateur radio service to install and maintain an effective outdoor antenna on property under the exclusive use or control of the licensee; or

(3) does not constitute the minimum practicable restriction on such communications to accomplish the lawful purposes of a community association seeking to enforce such restriction.

(b) Additional Requirements.—In amending its rules as required by subsection (a), the Commission shall—

(1) require any licensee in an amateur radio service to notify and obtain prior approval from a community association concerning installation of an outdoor antenna;
(2) permit a community association to prohibit installation of any antenna or antenna support structure by a licensee in an amateur radio service on common property not under the exclusive use or control of the licensee; and

(3) subject to the standards specified in paragraphs (1) and (2) of subsection (a), permit a community association to establish reasonable written rules concerning height, location, size, and aesthetic impact of, and installation requirements for, outdoor antennas and support structures for the purpose of conducting communications in the amateur radio services.

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

The Commission may not change section 97.15(b) of title 47, Code of Federal Regulations, which shall remain applicable to State and local land use regulation of amateur service communications.

SEC. 304. DEFINITIONS.

In this title:

(1) COMMUNITY ASSOCIATION.—The term “community association” means any non-profit mandatory membership organization composed of owners of real estate described in a declaration of covenants
or created pursuant to a covenant or other applicable law with respect to which a person, by virtue of the person’s ownership of or interest in a unit or parcel, is obligated to pay for a share of real estate taxes, insurance premiums, maintenance, improvement, services, or other expenses related to common elements, other units, or any other real estate other than the unit or parcel described in the declaration.

(2) TERMS DEFINED IN REGULATIONS.—The terms “amateur radio services”, “amateur service”, and “amateur station” have the meanings given such terms in section 97.3 of title 47, Code of Federal Regulations.

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

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

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

(1) making telecommunications service provider-owned WiFi access points, and other communications technologies operating on unlicensed spectrum, available to the general public for access to 9—
1–1 services, without requiring any login credentials, during times of emergency when mobile service is unavailable;

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

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

SEC. 402. ACCESS TO ESSENTIAL SERVICE PROVIDERS DURING FEDERALLY DECLARED EMERGENCIES.

Section 427(a)(1)(A) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189e(a)(1)(A)) is amended by striking “telecommunications service” and inserting “wireline or mobile telephone service, Internet access service, radio or television broadcasting, cable service, or direct broadcast satellite service”.

SEC. 403. DEFINITIONS.

As used in this title—

(1) the term “mobile service” means commercial mobile service (as defined in section 332 of the Communications Act of 1934 (47 U.S.C. 332)) or commercial mobile data service (as defined in section
6001 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401));

(2) the term “WiFi access point” means wireless Internet access using the standard designated as 802.11 or any variant thereof; and

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

**TITLE V—FCC CONSOLIDATED REPORTING**

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

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

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

“(a) IN GENERAL.—In the last quarter of every even-numbered year, the Commission shall publish on its website and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the state of the communications marketplace.
“(b) CONTENTS.—Each report required by subsection (a) shall—

“(1) assess the state of competition in the communications marketplace, including competition to deliver voice, video, audio, and data services among providers of telecommunications, providers of commercial mobile service (as defined in section 332), multichannel video programming distributors (as defined in section 602), broadcast stations, providers of satellite communications, Internet service providers, and other providers of communications services;

“(2) assess the state of deployment of communications capabilities, including advanced telecommunications capability (as defined in section 706 of the Telecommunications Act of 1996 (47 U.S.C. 1302)), regardless of the technology used for such deployment, including whether advanced telecommunications capability is being deployed to all Americans in a reasonable and timely fashion;

“(3) assess whether laws, regulations, or regulatory practices (whether those of the Federal Government, States, political subdivisions of States, Indian tribes or tribal organizations (as such terms are defined in section 4 of the Indian Self-Determination
and Education Assistance Act (25 U.S.C. 5304)), or
foreign governments) pose a barrier to competitive
entry into the communications marketplace or to the
competitive expansion of existing providers of com-
munications services;

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

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

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

“(d) Special Requirements.—
“(1) ASSESSING COMPETITION.—In assessing the state of competition under subsection (b)(1), the Commission shall consider all forms of competition, including the effect of intermodal competition, facilities-based competition, and competition from new and emergent communications services, including the provision of content and communications using the Internet.

“(2) ASSESSING DEPLOYMENT.—In assessing the state of deployment under subsection (b)(2), the Commission shall compile a list of geographical areas that are not served by any provider of advanced telecommunications capability.

“(3) INTERNATIONAL COMPARISONS AND DEMOGRAPHIC INFORMATION.—The Commission may use readily available data to draw appropriate comparisons between the United States communications marketplace and the international communications marketplace and to correlate its assessments with demographic information.

“(4) CONSIDERING SMALL BUSINESSES.—In assessing the state of competition under subsection (b)(1) and regulatory barriers under subsection (b)(3), the Commission shall consider market entry barriers for entrepreneurs and other small busi-
nnesses in the communications marketplace in accordance with the national policy under section 257(b).

“(5) CONSIDERING CABLE RATES.—In assessing the state of competition under subsection (b)(1), the Commission shall include in each report required by subsection (a) the aggregate average total amount paid by cable systems in compensation under section 325 during the period covered by such report.”.

SEC. 502. CONSOLIDATION OF REDUNDANT REPORTS; CONFORMING AMENDMENTS.

(a) ORBIT ACT REPORT.—Section 646 of the Communications Satellite Act of 1962 (47 U.S.C. 765e; 114 Stat. 57) is repealed.

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

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

(1) by striking subsection (b); and

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

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

(1) by striking subsection (g);

(2) by redesignating subsection (j) as subsection (g); and

(3) by transferring subsection (g) (as redesignated) so that it appears after subsection (f).

(e) REPORT ON CABLE INDUSTRY PRICES.—

(1) IN GENERAL.—Section 623 of the Communications Act of 1934 (47 U.S.C. 543) is amended—

(A) by striking subsection (k); and

(B) by redesignating subsections (l) through (o) as subsections (k) through (n), respectively.

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

(f) TRIENNIAL REPORT IDENTIFYING AND ELIMINATING MARKET ENTRY BARRIERS FOR ENTREPRENEURS AND OTHER SMALL BUSINESSES.—Section 257 of the Communications Act of 1934 (47 U.S.C. 257) is amended by striking subsection (e).
(g) **SECTION 706 REPORT.**—Section 706 of the Telecommunications Act of 1996 (47 U.S.C. 1302) is amended—

(1) by amending subsection (b) to read as follows:

“(b) **DETERMINATION.**—If the Commission determines in its report under section 14 of the Communications Act of 1934, after considering the availability of advanced telecommunications capability to all Americans (including, in particular, elementary and secondary schools and classrooms), that advanced telecommunications capability is not being deployed to all Americans in a reasonable and timely fashion, the Commission shall take immediate action to accelerate deployment of such capability by removing barriers to infrastructure investment and by promoting competition in the telecommunications market.”;

(2) by striking subsection (e);

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

(4) by redesignating subsection (d) as subsection (e).

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

(i) Previously Eliminated Annual Report.—

(1) In General.—Section 4 of the Communications Act of 1934 (47 U.S.C. 154) is amended—

(A) by striking subsection (k);

(B) by redesignating subsections (l) through (n) as subsections (k) through (m), re-
respectively; and

(C) by redesignating the first subsection

(o) (relating to use of radio and wire commun-
ications in connection with safety of life and
property) as subsection (n).

(2) Conforming Amendment.—Section

309(j)(8)(B) of the Communications Act of 1934

(47 U.S.C. 309(j)(8)(B)) is amended by striking the
last sentence.

(j) Additional Outdated Reports.—The Com-
munications Act of 1934 is further amended—

(1) in section 4—

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

(2) in section 215—

(A) by striking subsection (b); and

(B) by redesignating subsection (c) as subsection (b);

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

(4) in section 309(j)—

(A) by striking paragraph (12); and

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

(5) in section 331(b), by striking the last sentence;

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

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

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

(8) in section 396—

(A) by striking subsection (i);

(B) in subsection (k)—

(i) in paragraph (1), by striking subparagraph (F); and
(ii) in paragraph (3)(B)(iii), by striking subclause (V);

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

(D) by striking subsection (m);

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

(10) in section 624A(b)(1)—

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

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

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

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

SEC. 503. EFFECT ON AUTHORITY.

Nothing in this title or the amendments made by this title shall be construed to expand or contract the authority of the Commission.
SEC. 504. OTHER REPORTS.

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

TITLE VI—ADDITIONAL PROVISIONS

SEC. 601. INDEPENDENT INSPECTOR GENERAL FOR FCC.

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

(1) in section 8G(a)(2), by striking “the Federal Communications Commission,”; and

(2) in section 12—

(A) in paragraph (1), by inserting “, the Federal Communications Commission,” after “the Chairman of the Nuclear Regulatory Commission”; and

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

(b) TRANSITION RULE.—An individual serving as Inspector General of the Commission on the date of the enactment of this Act pursuant to an appointment made under section 8G of the Inspector General Act of 1978 (5 U.S.C. App.)—
(1) may continue so serving until the President makes an appointment under section 3(a) of such Act with respect to the Commission consistent with the amendments made by subsection (a); and

(2) shall, while serving under paragraph (1), remain subject to the provisions of section 8G of such Act which, immediately before the date of the enactment of this Act, applied with respect to the Inspector General of the Commission and suffer no reduction in pay.

SEC. 602. AUTHORITY OF CHIEF INFORMATION OFFICER.

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

(1) the decision-making process for annual and multi-year planning, programming, budgeting, and execution decisions, related reporting requirements, and reports related to information technology;

(2) the management, governance, and oversight processes related to information technology; and

(3) the hiring of personnel with information technology responsibilities.

(b) CIO APPROVAL.—The Chief Information Officer of the Commission, in consultation with the Chief Financial Officer of the Commission and budget officials, shall
specify and approve the allocation of amounts appropriated to the Commission for information technology, consistent with the provisions of appropriations Acts, budget guidelines, and recommendations from the Director of the Office of Management and Budget.

SEC. 603. ENSURING THE INTEGRITY OF VOICE COMMUNICATIONS.

Part II of title II of the Communications Act of 1934 (47 U.S.C. 251 et seq.) is amended by adding at the end the following:

“SEC. 262. ENSURING THE INTEGRITY OF VOICE COMMUNICATIONS.

“(a) **REGISTRATION AND COMPLIANCE BY INTERMEDIATE PROVIDERS.**—An intermediate provider that offers or holds itself out as offering the capability to transmit covered voice communications from one destination to another and that charges any rate to any other entity (including an affiliated entity) for the transmission shall—

“(1) register with the Commission; and

“(2) comply with the service quality standards for such transmission to be established by the Commission under subsection (c)(1)(B).

“(b) **REQUIRED USE OF REGISTERED INTERMEDIATE PROVIDERS.**—A covered provider may not use an intermediate provider to transmit covered voice com-
munications unless such intermediate provider is reg-
istered under subsection (a)(1).

“(c) COMMISSION RULES.—

“(1) IN GENERAL.—

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

“(B) SERVICE QUALITY STANDARDS.—Not
later than 1 year after the date of enactment of
this section, the Commission shall promulgate
rules to establish service quality standards for
the transmission of covered voice communica-
tions by intermediate providers.

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

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

“(B) prevent unjust or unreasonable dis-
crimination among areas of the United States
in the delivery of covered voice communications.
“(d) Public Availability of Registry.—The Commission shall make the registry established under subsection (c)(1)(A) publicly available on the website of the Commission.

“(e) Scope of Application.—The requirements of this section shall apply regardless of the format by which any communication or service is provided, the protocol or format by which the transmission of such communication or service is achieved, or the regulatory classification of such communication or service.

“(f) Rule of Construction.—Nothing in this section shall be construed to affect the regulatory classification of any communication or service.

“(g) Effect on Other Laws.—Nothing in this section shall be construed to preempt or expand the authority of a State public utility commission or other relevant State agency to collect data, or investigate and enforce State law and regulations, regarding the completion of intrastate voice communications, regardless of the format by which any communication or service is provided, the protocol or format by which the transmission of such communication or service is achieved, or the regulatory classification of such communication or service.

“(h) Exception.—The requirement under subsection (a)(2) to comply with the service quality standards
established under subsection (c)(1)(B) shall not apply to a covered provider that—

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

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

“(i) DEFINITIONS.—In this section:

“(1) COVERED PROVIDER.—The term ‘covered provider’ has the meaning given the term in section 64.2101 of title 47, Code of Federal Regulations, or any successor thereto.

“(2) COVERED VOICE COMMUNICATION.—The term ‘covered voice communication’ means a voice communication (including any related signaling information) that is generated—

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

“(B) through any service provided by a covered provider.
59

“(3) INTERMEDIATE PROVIDER.—The term ‘inter-
mediate provider’ means any entity that—

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

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

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

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

SEC. 604. SPOOFING PREVENTION.

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

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

(2) C OVERAGE OF TEXT MESSAGES AND VOICE SERVICES.—Section 227(e)(8) of the Communications Act of 1934 (47 U.S.C. 227(e)(8)) is amended—

(A) in subparagraph (A), by striking “telecommunications service or IP-enabled voice service” and inserting “voice service or a text message sent using a text messaging service”; 

(B) in the first sentence of subparagraph (B), by striking “telecommunications service or IP-enabled voice service” and inserting “voice service or a text message sent using a text messaging service”; and

(C) by striking subparagraph (C) and inserting the following:

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

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

“(ii) includes a short message service (commonly referred to as ‘SMS’) message and a multimedia message service (commonly referred to as ‘MMS’) message; and

“(iii) does not include—

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

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

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

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

“(i) means any service that is interconnected with the public switched telephone network and that furnishes voice communications to an end user using re-
sources from the North American Numbering Plan or any successor to the North American Numbering Plan adopted by the Commission under section 251(e)(1); and "(ii) includes transmissions from a telephone facsimile machine, computer, or other device to a telephone facsimile machine."

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

(4) REGULATIONS.—

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

(B) DEADLINE.—The Commission shall prescribe regulations to implement the amendments made by this subsection not later than 18 months after the date of enactment of this Act.
(5) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date that is 6 months after the date on which the Commission prescribes regulations under paragraph (4).

(b) CONSUMER EDUCATION MATERIALS ON HOW TO AVOID SCAMS THAT RELY UPON MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.—

(1) DEVELOPMENT OF MATERIALS.—Not later than 1 year after the date of enactment of this Act, the Commission, in coordination with the Federal Trade Commission, shall develop consumer education materials that provide information about—

(A) ways for consumers to identify scams and other fraudulent activity that rely upon the use of misleading or inaccurate caller identification information; and

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

(2) CONTENTS.—In developing the consumer education materials under paragraph (1), the Commission shall—

(A) identify existing technologies, if any, that can help consumers guard themselves against scams and other fraudulent activity
that rely upon the use of misleading or inaccurate caller identification information, including—

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

(ii) details on how consumers can access and use the technologies; and

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

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

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

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

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

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

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

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

(C) current efforts by industry groups and
other entities to develop technical standards to
deter or prevent the fraudulent provision of
misleading or inaccurate caller identification in-
formation, and how such standards may help
combat the current and future provision of mis-
leading or inaccurate caller identification infor-
mation; and
(D) whether there are additional actions
the Commission, the Federal Trade Commis-
sion, and Congress should take to combat the
fraudulent provision of misleading or inaccurate
caller identification information.

(3) REPORT.—Not later than 18 months after
the date of enactment of this Act, the Comptroller
General shall submit to the Committee on Energy
and Commerce of the House of Representatives and
the Committee on Commerce, Science, and Trans-
portation of the Senate a report on the findings of
the study under paragraph (1), including any rec-
ommendations regarding combating the fraudulent
provision of misleading or inaccurate caller identi-
fication information.

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

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

(2) the CAN–SPAM Act of 2003 (15 U.S.C.
7701 et seq.).
SEC. 605. CONFIGURATION OF MULTI-LINE TELEPHONE SYSTEMS FOR DIRECT DIALING OF 9–1–1.

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

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

“(a) SYSTEM MANUFACTURE, IMPORTATION, SALE, AND LEASE.—A person engaged in the business of manufacturing, importing, selling, or leasing multi-line telephone systems may not manufacture or import for use in the United States, or sell or lease or offer to sell or lease in the United States, a multi-line telephone system, unless such system is pre-configured such that, when properly installed in accordance with subsection (b), a user may directly initiate a call to 9–1–1 from any station equipped with dialing facilities, without dialing any additional digit, code, prefix, or post-fix, including any trunk-access code such as the digit ‘9’, regardless of whether the user is required to dial such a digit, code, prefix, or post-fix for other calls.

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

“(c) On-Site Notification.—A person engaged in the business of installing, managing, or operating multiline telephone systems shall, in installing, managing, or operating such a system for use in the United States, configure the system to provide a notification to a central location at the facility where the system is installed or to another person or organization regardless of location, if the system is able to be configured to provide the notification without an improvement to the hardware or software of the system.

“(d) Effect on State Law.—Nothing in this section is intended to alter the authority of State commissions or other State or local agencies with jurisdiction over emergency communications, if the exercise of such authority is not inconsistent with this Act.

“(e) Enforcement.—This section shall be enforced under title V, except that section 501 applies only to the extent that such section provides for the punishment of a fine.
“(f) Multi-Line Telephone System Defined.—
In this section, the term ‘multi-line telephone system’ has the meaning given such term in section 6502 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1471).”.

(b) Effective Date.—

(1) In general.—Except as provided in paragraph (2), section 721 of the Communications Act of 1934, as added by subsection (a) of this section, shall apply beginning on the date that is 2 years after the date of the enactment of this Act.

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

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

(a) Veteran Defined.—In this section, the term “veteran” has the meaning given the term in section 101 of title 38, United States Code.
(b) REPORT REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Commission shall submit to Congress a report on promoting broadband Internet access service for veterans, in particular low-income veterans and veterans residing in rural areas. In such report, the Commission shall—

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

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

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

SEC. 607. METHODOLOGY FOR COLLECTION OF MOBILE SERVICE COVERAGE DATA.

(a) DEFINITIONS.—In this section—

(1) the term “commercial mobile data service” has the meaning given the term in section 6001 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401);
(2) the term “commercial mobile service” has the meaning given the term in section 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d));

(3) the term “coverage data” means, if commercial mobile service or commercial mobile data service is available, general information about the service, which may include available speed tiers and performance characteristics; and

(4) the term “Universal Service program” means the universal service support mechanisms established under section 254 of the Communications Act of 1934 (47 U.S.C. 254) and the regulations issued under that section.

(b) METHODOLOGY ESTABLISHED.—Not later than 180 days after the conclusion of Auction 903, the Commission shall promulgate regulations to establish a methodology that shall apply to the collection of coverage data by the Commission for the purposes of—

(1) the Universal Service program; or

(2) any other similar program.

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

(1) contain standard definitions for different available technologies such as 2G, 3G, 4G, and 4G LTE;
(2) enhance the consistency and robustness of how the data are collected by different parties;
(3) improve the validity and reliability of coverage data; and
(4) increase the efficiency of coverage data collection.

SEC. 608. ACCURACY OF 9-1-1 CALL LOCATION INFORMATION.

(a) PROCEEDING REQUIRED.—Not later than 18 months after the date of the enactment of this Act, the Commission shall conclude a proceeding to consider adopting rules to ensure that call location information is conveyed with a 9-1-1 call, regardless of the technological platform used and including with calls from multi-line telephone systems (as defined in section 6502 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1471)).

(b) RELATIONSHIP TO OTHER PROCEEDINGS.—In conducting the proceeding required by subsection (a), the Commission may consider information and conclusions from other Commission proceedings regarding the accuracy of call location information, but nothing in this section shall be construed to require the Commission to reconsider any information or conclusion from a proceeding regarding the accuracy of call location information in
which the Commission has adopted rules or issued an
order before the date of the enactment of this Act.

(c) OTHER AUTHORITY.—In addition to the authority
to adopt any rules the Commission finds to be necessary
in the proceeding required by subsection (a), the Commis-
sion shall have the authority to adopt any other rules,
technical standards, protocols, and procedures as are nec-

essary to ensure that call location information is conveyed
as described in such subsection.

(d) DEFINITIONS.—In this section:

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

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

SEC. 609. INTERAGENCY COMMUNICATIONS SECURITY
COMMITTEE.

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

(b) DUTIES.—The Committee shall—

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

(2) recommend investigation to relevant agencies into any such communications security report; and

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

(A) The agencies represented on the Committee.

(B) The Committee on Energy and Commerce of the House of Representatives.

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

(D) The Permanent Select Committee on Intelligence of the House of Representatives.
(E) The Select Committee on Intelligence of the Senate.

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

(G) The Armed Services Committee of the Senate.

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

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

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

(K) The Foreign Relations Committee of the Senate.

(c) MEMBERSHIP.—The Committee shall be composed of 8 members, who shall each possess the appropriate access to classified information commensurate with the sensitivity of the classified information such members shall access in the course of service on the Committee. The members of the Committee shall include only—

(1) one appointee from the National Telecommunications and Information Administration, to be appointed by the Assistant Secretary of Commerce for Communications and Information, who shall serve as Chair of the Committee;
(2) one appointee from the Department of Defense, to be appointed by the Secretary of Defense;

(3) one appointee from the Department of Homeland Security, to be appointed by the Secretary of Homeland Security;

(4) one appointee from the Department of Justice, to be appointed by the Attorney General of the United States;

(5) one appointee from the intelligence community, to be appointed by the Director of National Intelligence;

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

(7) one appointee from the Federal Communications Commission, who shall not be a member of the Commission, to be appointed by the Chair of the Commission; and

(8) one appointee from the Office of Management and Budget, to be appointed by the Director of the Office of Management and Budget.

(d) Public Communications Security Reports.—The Committee shall consider communications security reports from communications network providers.
(e) Application of Critical Infrastructure Information Protections.—For purposes of subtitle B of title II of the Homeland Security Act of 2002 (6 U.S.C. 131 et seq.)—

(1) communications networks shall be treated as critical infrastructure and protected systems defined in sections 2(4) and 212(6), respectively, of the Homeland Security Act of 2002 (6 U.S.C. 101(4); 6 U.S.C. 131(6)); and

(2) with respect to critical infrastructure information relating to communications networks, the National Telecommunications and Information Administration (in addition to the Department of Homeland Security) shall be treated as a covered Federal agency defined in section 212(2) of such Act.

(f) Agency Communications Security Reports.—Not less frequently than every 3 months, the head of each agency shall submit to the Committee a report of each communications security incident for the previous 3 months.

(g) Continuation of Committee.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) does not apply to the Committee.

(h) Definitions.—In this section:
(1) AGENCY.—The term “agency” has the meaning given that term in section 3502 of title 44, United States Code.

(2) COMMUNICATIONS NETWORK.—The term “communications network” means a network for the provision of wireline or mobile telephone service, Internet access service, radio or television broadcasting, cable service, direct broadcast satellite service, or any other communications service.

(3) COMMUNICATIONS SECURITY INCIDENT.—The term “communications security incident” means any compromise, whether electronic or otherwise, of any telecommunications system that the agency has reason to believe—

   (A) resulted in Government-held or private information, including passwords and other similar means of access, being viewed or extracted; or

   (B) resulted in the presence of outside programming on an agency computer or other electronic device.

(4) COMMUNICATIONS SECURITY REPORT.—The term “communications security report” means a description of a communications security incident or
multiple communications security incidents referred to the Committee.