

AMENDMENT TO SUBTITLE L
OFFERED BY _____

Add at the end the following:

1 **SEC. 3___ . LOCATING FEDERAL FACILITIES IN UNSERVED**
2 **AREAS.**

3 (a) DEFINITIONS.—In this section:

4 (1) APPROPRIATE COMMITTEES OF CON-
5 GRESS.—The term “appropriate committees of Con-
6 gress” means—

7 (A) the Committee on Energy and Com-
8 merce of the House of Representatives;

9 (B) the Committee on Natural Resources
10 of the House of Representatives;

11 (C) the Committee on Commerce, Science,
12 and Transportation of the Senate; and

13 (D) the Committee on Environment and
14 Public Works of the Senate.

15 (2) COMMISSION.—The term “Commission”
16 means the Federal Communications Commission.

17 (3) COMMUNICATIONS FACILITY.—The term
18 “communications facility” includes—

19 (A) any infrastructure, including any
20 transmitting device, tower, or support structure,

1 and any equipment, switch, wiring, cabling,
2 power source, shelter, or cabinet, associated
3 with the licensed or permitted unlicensed wire-
4 less or wireline transmission of any writing,
5 sign, signal, data, image, picture, and sound of
6 any kind; and

7 (B) any antenna or apparatus that—

8 (i) is designed for the purpose of
9 emitting radio frequency;

10 (ii) is designed to be operated, or is
11 operating, from a fixed location pursuant
12 to authorization by the Commission or is
13 using any duly authorized device that does
14 not require an individual license; and

15 (iii) is added to a tower, building, or
16 other structure.

17 (4) COVERED LAND.—The term “covered land”
18 means land managed by a Federal land management
19 agency.

20 (5) DEPARTMENT CONCERNED.—The term
21 “Department concerned” means the Department of
22 the Interior or the Department of Agriculture.

23 (6) FEDERAL LAND MANAGEMENT AGENCY.—
24 The term “Federal land management agency”
25 means—

- 1 (A) the Forest Service;
- 2 (B) the Bureau of Land Management;
- 3 (C) the National Park Service;
- 4 (D) the Fish and Wildlife Service; and
- 5 (E) the Bureau of Reclamation.

6 (7) SECRETARY CONCERNED.—The term “Sec-
7 retary concerned” means—

- 8 (A) the Secretary of the Interior, with re-
9 spect to land administered by such Secretary;
- 10 (B) the Secretary of Agriculture, with re-
11 spect to National Forest System land; and
- 12 (C) the Secretary of Commerce.

13 (b) SHARING BROADBAND AVAILABILITY DATA.—

14 (1) NOTIFICATION.—Not later than 2 business
15 days after the creation or update of any map re-
16 quired under section 802(c)(1) of the Communica-
17 tions Act of 1934 (47 U.S.C. 642(c)(1)), the Com-
18 mission shall notify the Secretary concerned that the
19 map has been created or updated.

20 (2) PROVISION OF INFORMATION.—Not later
21 than 5 business days after the date on which the
22 Secretary concerned is notified under paragraph (1),
23 the Commission shall provide the Secretary con-
24 cerned any data the Commission has collected pursu-

1 ant to title VIII of the Communications Act of 1934
2 (47 U.S.C. 641 et seq.).

3 (3) CONTINUATION.—The Commission shall
4 provide the Secretary concerned the information de-
5 scribed in paragraph (2) every 6 months unless the
6 Commission no longer has such information.

7 (4) PROTECTION OF INFORMATION.—

8 (A) IN GENERAL.—The Commission shall
9 specify to the Secretary concerned which infor-
10 mation provided under paragraph (2) was col-
11 lected in a confidential or proprietary manner,
12 and the Secretary concerned may not make
13 such information publicly available.

14 (B) FOIA.—Information provided under
15 paragraph (2) is exempt from disclosure to the
16 public under section 552(b)(3)(B) of title 5,
17 United States Code.

18 (c) WORKING GROUP.—

19 (1) ESTABLISHMENT.—Not later than 30 days
20 after the date of enactment of this section, the Com-
21 mission and the Secretary concerned shall establish
22 an interagency working group to facilitate the prepa-
23 ration and interoperability of information technology
24 systems for the provision and receipt of the informa-
25 tion described in subsection (b)(2).

1 (2) NONAPPLICABILITY OF FACA.—The Federal
2 Advisory Committee Act (5 U.S.C. App.) shall not
3 apply to the interagency working group established
4 under paragraph (1).

5 (d) REPORTS.—

6 (1) PRELIMINARY ASSESSMENT OF POTENTIAL
7 BARRIERS.—Not later 120 days after the date on
8 which the interagency working group is established
9 pursuant to subsection (c)(1), the Commission and
10 the Secretary concerned shall jointly submit a report
11 to the appropriate committees of Congress with a
12 preliminary assessment of any potential barriers to
13 sharing the information described under subsection
14 (b)(2).

15 (2) ASSESSMENTS.—Not later than 1 year after
16 the date on which the Commission provides the in-
17 formation described under subsection (b)(2) to the
18 Department concerned, the Commission and the Sec-
19 retary concerned shall jointly submit a report to the
20 appropriate committees of Congress with—

21 (A) an assessment of the effectiveness of a
22 user's ability to locate broadband infrastructure
23 on covered land in an area to be determined as
24 unserved by the Commission on the basis of the
25 maps created under section 802(c) of the Com-

1 communications Act of 1934 (47 U.S.C. 642(c));
2 and

3 (B) an assessment of whether the Depart-
4 ment concerned prioritized the review of appli-
5 cations for a communications use authorization
6 in an area to be determined as unserved by the
7 Commission on the basis of the maps created
8 under such section.

