

In the House of Representatives, U. S.,

March 3, 2020.

Resolved, That the bill from the Senate (S. 1822) entitled “An Act to require the Federal Communications Commission to issue rules relating to the collection of data with respect to the availability of broadband services, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Broadband Deployment*
3 *Accuracy and Technological Availability Act” or the*
4 *“Broadband DATA Act”.*

5 ***SEC. 2. BROADBAND DATA.***

6 *The Communications Act of 1934 (47 U.S.C. 151 et*
7 *seq.) is amended by adding at the end the following:*

8 ***“TITLE VIII—BROADBAND DATA***

9 ***“SEC. 801. DEFINITIONS.***

10 *“In this title:*

11 *“(1) BROADBAND INTERNET ACCESS SERVICE.—*

12 *The term ‘broadband internet access service’ has the*
13 *meaning given the term in section 8.1(b) of title 47,*

1 *Code of Federal Regulations, or any successor regula-*
 2 *tion.*

3 “(2) *BROADBAND MAP.*—*The term ‘Broadband*
 4 *Map’ means the map created by the Commission*
 5 *under section 802(c)(1)(A).*

6 “(3) *CELL EDGE PROBABILITY.*—*The term ‘cell*
 7 *edge probability’ means the likelihood that the min-*
 8 *imum threshold download and upload speeds with re-*
 9 *spect to broadband internet access service will be met*
 10 *or exceeded at a distance from a base station that is*
 11 *intended to indicate the ultimate edge of the coverage*
 12 *area of a cell.*

13 “(4) *CELL LOADING.*—*The term ‘cell loading’*
 14 *means the percentage of the available air interface re-*
 15 *sources of a base station that are used by consumers*
 16 *with respect to broadband internet access service.*

17 “(5) *CLUTTER.*—*The term ‘clutter’ means a nat-*
 18 *ural or man-made surface feature that affects the*
 19 *propagation of a signal from a base station.*

20 “(6) *FABRIC.*—*The term ‘Fabric’ means the*
 21 *Broadband Serviceable Location Fabric established*
 22 *under section 802(b)(1)(B).*

23 “(7) *FORM 477.*—*The term ‘Form 477’ means*
 24 *Form 477 of the Commission relating to local tele-*
 25 *phone competition and broadband reporting.*

1 “(8) *INDIAN TRIBE*.—The term ‘Indian Tribe’
 2 has the meaning given the term ‘Indian tribe’ in sec-
 3 tion 4 of the Indian Self-Determination and Edu-
 4 cation Assistance Act (25 U.S.C. 5304).

5 “(9) *MOBILITY FUND PHASE II*.—The term ‘Mo-
 6 bility Fund Phase II’ means the second phase of the
 7 proceeding to provide universal service support from
 8 the Mobility Fund (WC Docket No. 10–90; WT Docket
 9 No. 10–208).

10 “(10) *PROPAGATION MODEL*.—The term ‘propa-
 11 gation model’ means a mathematical formulation for
 12 the characterization of radio wave propagation as a
 13 function of frequency, distance, and other conditions.

14 “(11) *PROVIDER*.—The term ‘provider’ means a
 15 provider of fixed or mobile broadband internet access
 16 service.

17 “(12) *QUALITY OF SERVICE*.—The term ‘quality
 18 of service’ means, with respect to broadband internet
 19 access service, the download and upload speeds (and,
 20 for relevant services, latency) with respect to that
 21 service, as determined by, and to the extent otherwise
 22 collected by, the Commission.

23 “(13) *SHAPEFILE*.—The term ‘shapefile’ means a
 24 digital storage format containing geospatial or loca-
 25 tion-based data and attribute information—

1 “(A) regarding the availability of
2 broadband internet access service; and

3 “(B) that can be viewed, edited, and
4 mapped in geographic information system soft-
5 ware.

6 “(14) *STANDARD BROADBAND INSTALLATION.*—
7 The term ‘standard broadband installation’—

8 “(A) means the initiation by a provider of
9 fixed broadband internet access service in an
10 area in which the provider has not previously of-
11 fered that service, with no charges or delays at-
12 tributable to the extension of the network of the
13 provider; and

14 “(B) includes the initiation of fixed
15 broadband internet access service through routine
16 installation that can be completed not later than
17 10 business days after the date on which the
18 service request is submitted.

19 **“SEC. 802. BROADBAND MAPS.**

20 “(a) *RULES.*—

21 “(1) *IN GENERAL.*—Not later than 180 days
22 after the date of enactment of this title, the Commis-
23 sion shall issue final rules that shall—

1 “(A) require the biannual collection and
2 dissemination of granular data, as determined
3 by the Commission—

4 “(i) relating to the availability and
5 quality of service with respect to terrestrial
6 fixed, fixed wireless, satellite, and mobile
7 broadband internet access service; and

8 “(ii) that the Commission shall use to
9 compile the maps created under subsection
10 (c)(1) (referred to in this section as ‘cov-
11 erage maps’), which the Commission shall
12 make publicly available; and

13 “(B) establish—

14 “(i) processes through which the Com-
15 mission can verify the accuracy of data sub-
16 mitted under subsection (b)(2);

17 “(ii) processes and procedures through
18 which the Commission, and, as necessary,
19 other entities or individuals submitting
20 non-public or competitively sensitive infor-
21 mation under this title, can protect the se-
22 curity, privacy, and confidentiality of that
23 non-public or competitively sensitive infor-
24 mation, including—

1 “(I) information contained in the
2 *Fabric*;

3 “(II) the dataset created under
4 subsection (b)(1)(A) supporting the
5 *Fabric*; and

6 “(III) the data submitted under
7 subsection (b)(2);

8 “(iii) the challenge process described in
9 subsection (b)(5); and

10 “(iv) the process described in section
11 804(b).

12 “(2) *OTHER DATA.*—In issuing the rules under
13 paragraph (1), the Commission shall develop a proc-
14 ess through which the Commission can collect verified
15 data for use in the coverage maps from—

16 “(A) State, local, and Tribal governmental
17 entities that are primarily responsible for map-
18 ping or tracking broadband internet access serv-
19 ice coverage for a State, unit of local govern-
20 ment, or Indian Tribe, as applicable;

21 “(B) third parties, if the Commission deter-
22 mines that it is in the public interest to use such
23 data in—

24 “(i) the development of the coverage
25 maps; or

1 “(ii) the verification of data submitted
2 under subsection (b); and

3 “(C) other Federal agencies.

4 “(3) *UPDATES.*—The Commission shall revise the
5 rules issued under paragraph (1) to—

6 “(A) reflect changes in technology;

7 “(B) ensure the accuracy of propagation
8 models, as further provided in subsection (b)(3);
9 and

10 “(C) improve the usefulness of the coverage
11 maps.

12 “(b) *CONTENT OF RULES.*—

13 “(1) *ESTABLISHMENT OF A SERVICEABLE LOCA-*
14 *TION FABRIC REGARDING FIXED BROADBAND.*—

15 “(A) *DATASET.*—

16 “(i) *IN GENERAL.*—The Commission
17 shall create a common dataset of all loca-
18 tions in the United States where fixed
19 broadband internet access service can be in-
20 stalled, as determined by the Commission.

21 “(ii) *CONTRACTING.*—

22 “(I) *IN GENERAL.*—Subject to
23 subclauses (II) and (III), the Commis-
24 sion may contract with an entity with
25 expertise with respect to geographic in-

formation systems (referred to in this subsection as ‘GIS’) to create and maintain the dataset under clause (i).

“(II) *APPLICATION OF THE FEDERAL ACQUISITION REGULATION.*—A contract into which the Commission enters under subclause (I) shall in all respects comply with applicable provisions of the Federal Acquisition Regulation.

“(III) *LIMITATIONS.*—With respect to a contract into which the Commission enters under subclause (I)—

“(aa) the entity with which the Commission enters into the contract shall be selected through a competitive bid process that is transparent and open; and

“(bb) the contract shall be for a term of not longer than 5 years, after which the Commission may enter into a new contract—

“(AA) with an entity, and for the purposes, described in clause (i); and

1 “(BB) that complies
 2 with the requirements under
 3 subclause (II) and this sub-
 4 clause; and

5 “(cc) the contract shall—

6 “(AA) prohibit the enti-
 7 ty described in item (aa)
 8 from selling, leasing, or oth-
 9 erwise disclosing for mone-
 10 tary consideration any per-
 11 sonally identifiable informa-
 12 tion to any other entity other
 13 than for purposes authorized
 14 under this title; and

15 “(BB) require the entity
 16 described in item (aa) to in-
 17 clude in any contract with
 18 any other entity a provision
 19 that prohibits that other enti-
 20 ty from engaging in an ac-
 21 tion that is prohibited under
 22 subitem (AA).

23 “(B) FABRIC.—The rules issued by the
 24 Commission under subsection (a)(1) shall estab-

1 *lish the Broadband Serviceable Location Fabric,*
 2 *which shall—*

3 *“(i) contain geocoded information for*
 4 *each location identified under subparagraph*
 5 *(A)(i);*

6 *“(ii) serve as the foundation upon*
 7 *which all data relating to the availability of*
 8 *fixed broadband internet access service col-*
 9 *lected under paragraph (2)(A) shall be re-*
 10 *ported and overlaid;*

11 *“(iii) be compatible with commonly*
 12 *used GIS software; and*

13 *“(iv) at a minimum, be updated every*
 14 *6 months by the Commission.*

15 *“(C) IMPLEMENTATION PRIORITY.—The*
 16 *Commission shall prioritize implementing the*
 17 *Fabric for rural and insular areas of the United*
 18 *States.*

19 *“(2) COLLECTION OF INFORMATION.—The rules*
 20 *issued by the Commission under subsection (a)(1)*
 21 *shall include uniform standards for the reporting of*
 22 *broadband internet access service data that the Com-*
 23 *mission shall collect—*

1 “(A) from each provider of terrestrial fixed,
2 fixed wireless, or satellite broadband internet ac-
3 cess service, which shall include data that—

4 “(i) documents the areas where the
5 provider—

6 “(I) has actually built out the
7 broadband network infrastructure of
8 the provider such that the provider is
9 able to provide that service; and

10 “(II) could provide that service,
11 as determined by identifying where the
12 provider is capable of performing a
13 standard broadband installation, if ap-
14 plicable;

15 “(ii) includes information regarding
16 download and upload speeds, at various
17 thresholds established by the Commission,
18 and, if applicable, latency with respect to
19 broadband internet access service that the
20 provider makes available;

21 “(iii) can be georeferenced to the GIS
22 data in the Fabric;

23 “(iv) the provider shall report as—

1 “(I) with respect to providers of
2 *fixed wireless broadband internet ac-*
3 *cess service—*

4 “(aa) propagation maps and
5 *propagation model details that—*

6 “(AA) satisfy standards
7 *that are similar to those ap-*
8 *plicable to providers of mo-*
9 *bile broadband internet ac-*
10 *cess service under subpara-*
11 *graph (B) with respect to*
12 *propagation maps and prop-*
13 *agation model details, taking*
14 *into account material dif-*
15 *ferences between fixed wire-*
16 *less and mobile broadband*
17 *internet access service; and*

18 “(BB) reflect the speeds
19 *and latency of the service*
20 *provided by the provider; or*

21 “(bb) a list of addresses or lo-
22 *cations that constitute the service*
23 *area of the provider, except that*
24 *the Commission—*

1 “(AA) may only permit,
 2 and not require, a provider
 3 to report the data using that
 4 means of reporting; and

5 “(BB) in the rules
 6 issued under subsection
 7 (a)(1), shall provide a meth-
 8 od for using that means of
 9 reporting with respect to
 10 Tribal areas; and

11 “(II) with respect to providers of
 12 terrestrial fixed and satellite
 13 broadband internet access service—

14 “(aa) polygon shapefiles; or

15 “(bb) a list of addresses or lo-
 16 cations that constitute the service
 17 area of the provider, except that
 18 the Commission—

19 “(AA) may only permit,
 20 and not require, a provider
 21 to report the data using that
 22 means of reporting; and

23 “(BB) in the rules
 24 issued under subsection
 25 (a)(1), shall provide a meth-

1 *od for using that means of*
 2 *reporting with respect to*
 3 *Tribal areas; and*

4 *“(v) the Commission determines is ap-*
 5 *propriate with respect to certain tech-*
 6 *nologies in order to ensure that the*
 7 *Broadband Map is granular and accurate;*
 8 *and*

9 *“(B) from each provider of mobile*
 10 *broadband internet access service, which shall in-*
 11 *clude propagation maps and propagation model*
 12 *details that indicate the current (as of the date*
 13 *on which the information is collected) fourth gen-*
 14 *eration Long-Term Evolution (commonly re-*
 15 *ferred to as ‘4G LTE’) mobile broadband inter-*
 16 *net access service coverage of the provider, which*
 17 *shall—*

18 *“(i) take into consideration the effect of*
 19 *clutter; and*

20 *“(ii) satisfy—*

21 *“(I) the requirements of having—*

22 *“(aa) a download speed of*
 23 *not less than 5 megabits per sec-*
 24 *ond and an upload speed of not*
 25 *less than 1 megabit per second*

1 with a cell edge probability of not
2 less than 90 percent; and

3 “(bb) cell loading of not less
4 than 50 percent; and

5 “(II) any other parameter that
6 the Commission determines to be nec-
7 essary to create a map under sub-
8 section (c)(1)(C) that is more precise
9 than the map produced as a result of
10 the submissions under the Mobility
11 Fund Phase II information collection.

12 “(3) UPDATE OF REPORTING STANDARDS FOR
13 MOBILE BROADBAND INTERNET ACCESS SERVICE.—
14 For the purposes of paragraph (2)(B), if the Commis-
15 sion determines that the reporting standards under
16 that paragraph are insufficient to collect accurate
17 propagation maps and propagation model details
18 with respect to future generations of mobile
19 broadband internet access service technologies, the
20 Commission shall immediately commence a rule mak-
21 ing to adopt new reporting standards with respect to
22 those technologies that—

23 “(A) shall be the functional equivalent of
24 the standards required under paragraph (2)(B);
25 and

1 “(B) allow for the collection of propagation
 2 maps and propagation model details that are as
 3 accurate and granular as, or more accurate and
 4 granular than, the maps and model details col-
 5 lected by the Commission under paragraph
 6 (2)(B).

7 “(4) CERTIFICATION AND VERIFICATION.—With
 8 respect to a provider that submits information to the
 9 Commission under paragraph (2)—

10 “(A) the provider shall include in each sub-
 11 mission a certification from a corporate officer of
 12 the provider that the officer has examined the in-
 13 formation contained in the submission and that,
 14 to the best of the officer’s actual knowledge, infor-
 15 mation, and belief, all statements of fact con-
 16 tained in the submission are true and correct;
 17 and

18 “(B) the Commission shall verify the accu-
 19 racy and reliability of the information in ac-
 20 cordance with measures established by the Com-
 21 mission.

22 “(5) CHALLENGE PROCESS.—

23 “(A) IN GENERAL.—In the rules issued
 24 under subsection (a), and subject to subpara-
 25 graph (B), the Commission shall establish a

1 *user-friendly challenge process through which*
 2 *consumers, State, local, and Tribal governmental*
 3 *entities, and other entities or individuals may*
 4 *submit coverage data to the Commission to chal-*
 5 *lenge the accuracy of—*

6 *“(i) the coverage maps;*

7 *“(ii) any information submitted by a*
 8 *provider regarding the availability of*
 9 *broadband internet access service; or*

10 *“(iii) the information included in the*
 11 *Fabric.*

12 *“(B) CONSIDERATIONS; VERIFICATION; RE-*
 13 *SPONSE TO CHALLENGES.—In establishing the*
 14 *challenge process required under subparagraph*
 15 *(A), the Commission shall—*

16 *“(i) consider—*

17 *“(I) the types of information that*
 18 *an entity or individual submitting a*
 19 *challenge should provide to the Com-*
 20 *mission in support of the challenge;*

21 *“(II) the appropriate level of*
 22 *granularity for the information de-*
 23 *scribed in subclause (I);*

24 *“(III) the need to mitigate the*
 25 *time and expense incurred by, and the*

1 *administrative burdens placed on, enti-*
2 *ties or individuals in—*

3 *“(aa) challenging the accu-*
4 *racy of a coverage map; and*

5 *“(bb) responding to chal-*
6 *lenges described in item (aa);*

7 *“(IV) the costs to consumers and*
8 *providers resulting from a*
9 *misallocation of funds because of a re-*
10 *liance on outdated or otherwise inac-*
11 *curate information in the coverage*
12 *maps;*

13 *“(V) any lessons learned from the*
14 *challenge process established under Mo-*
15 *bility Fund Phase II, as determined*
16 *from comments solicited by the Com-*
17 *mission; and*

18 *“(VI) the need for user-friendly*
19 *challenge submission formats that will*
20 *promote participation in the challenge*
21 *process;*

22 *“(ii) include a process for verifying the*
23 *data submitted through the challenge proc-*
24 *ess in order to ensure the reliability of that*
25 *data;*

1 “(iii) allow providers to respond to
2 challenges submitted through the challenge
3 process; and

4 “(iv) develop an online mechanism,
5 which—

6 “(I) shall be integrated into the
7 coverage maps;

8 “(II) allows for an entity de-
9 scribed in subparagraph (A) to submit
10 a challenge under the challenge process;

11 “(III) makes challenge data avail-
12 able in both geographic information
13 system and non-geographic informa-
14 tion system formats; and

15 “(IV) clearly identifies the areas
16 in which broadband internet access
17 service is available, and the upload
18 and download speeds at which that
19 service is available, as reported to the
20 Commission under this section.

21 “(C) *USE OF CHALLENGES.*—The rules
22 issued to establish the challenge process under
23 subparagraph (A) shall include—

24 “(i) a process for the speedy resolution
25 of challenges; and

1 “(ii) a process for the regular and ex-
 2 peditious updating of the coverage maps
 3 and granular data disseminated by the
 4 Commission as challenges are resolved.

5 “(D) REPORT TO CONGRESS.—Not earlier
 6 than 1 year, and not later than 18 months, after
 7 the date on which the rules issued under sub-
 8 section (a)(1) take effect, the Commission shall,
 9 after an opportunity for notice and comment,
 10 submit to the Committee on Commerce, Science,
 11 and Transportation of the Senate and the Com-
 12 mittee on Energy and Commerce of the House of
 13 Representatives a report that—

14 “(i) evaluates the challenge process de-
 15 scribed in subparagraph (A); and

16 “(ii) considers whether the Commission
 17 should commence an inquiry on the need for
 18 other tools to help—

19 “(I) identify potential inaccura-
 20 cies in the data relating to broadband
 21 internet access service that providers
 22 report; and

23 “(II) improve the accuracy of the
 24 data described in subclause (I).

25 “(6) REFORM OF FORM 477 PROCESS.—

1 “(A) *IN GENERAL.*—Not later than 180
2 *days after the date on which the rules issued*
3 *under subsection (a) take effect, the Commission*
4 *shall—*

5 “(i) *reform the Form 477 broadband*
6 *deployment service availability collection*
7 *process of the Commission—*

8 “(I) *to achieve the purposes of this*
9 *title; and*

10 “(II) *in a manner that—*

11 “(aa) *enables the comparison*
12 *of data and maps produced before*
13 *the implementation of this title*
14 *with data and coverage maps pro-*
15 *duced after the implementation of*
16 *this title; and*

17 “(bb) *maintains the public*
18 *availability of data relating to the*
19 *deployment of broadband internet*
20 *access service; and*

21 “(ii) *harmonize reporting requirements*
22 *and procedures regarding the deployment of*
23 *broadband internet access service that are*
24 *in effect on the day before the date on which*
25 *the rules issued under subsection (a)(1) take*

1 *effect with those requirements and proce-*
2 *dures in those rules.*

3 “(B) *CONTINUED COLLECTION AND REPORT-*
4 *ING.—On and after the date on which the Com-*
5 *mission carries out subparagraph (A), the Com-*
6 *mission shall continue to collect and publicly re-*
7 *port subscription data that the Commission col-*
8 *lected through the Form 477 broadband deploy-*
9 *ment service availability process, as in effect on*
10 *July 1, 2019.*

11 “(7) *SHARING DATA WITH NTIA.—The Commis-*
12 *sion shall establish a process to make the data col-*
13 *lected under paragraph (2) available to the National*
14 *Telecommunications and Information Administra-*
15 *tion.*

16 “(c) *MAPS.—The Commission shall—*

17 “(1) *after consultation with the Federal Geo-*
18 *graphic Data Committee established under section*
19 *753(a) of the Geospatial Data Act of 2018, create—*

20 “(A) *the Broadband Map, which shall de-*
21 *pict—*

22 “(i) *the extent of the availability of*
23 *broadband internet access service in the*
24 *United States, without regard to whether*
25 *that service is fixed broadband internet ac-*

1 *cess service or mobile broadband internet*
2 *access service, which shall be based on data*
3 *collected by the Commission from all pro-*
4 *viders; and*

5 *“(ii) the areas of the United States*
6 *that remain unserved by providers;*

7 *“(B) a map that depicts the availability of*
8 *fixed broadband internet access service, which*
9 *shall be based on data collected by the Commis-*
10 *sion from providers under subsection (b)(2)(A);*
11 *and*

12 *“(C) a map that depicts the availability of*
13 *mobile broadband internet access service, which*
14 *shall be based on data collected by the Commis-*
15 *sion from providers under subsection (b)(2)(B);*

16 *“(2) after creating the maps under paragraph*
17 *(1), use such maps—*

18 *“(A) to determine the areas in which terres-*
19 *trial fixed, fixed wireless, mobile, and satellite*
20 *broadband internet access service is and is not*
21 *available; and*

22 *“(B) when making any new award of fund-*
23 *ing with respect to the deployment of broadband*
24 *internet access service intended for use by resi-*
25 *dential and mobile customers;*

1 “(3) update the maps created under paragraph
2 (1) not less frequently than biannually using the most
3 recent data collected from providers under subsection
4 (b)(2);

5 “(4) consult with—

6 “(A) the Secretary of Agriculture to enable
7 the Secretary of Agriculture to consult the maps
8 created under paragraph (1) when considering
9 the awarding of funds for the deployment of
10 broadband internet access service under any pro-
11 gram administered by the Administrator of the
12 Rural Utilities Service; and

13 “(B) the National Telecommunications and
14 Information Administration to enable the Ad-
15 ministration to consult the maps created under
16 paragraph (1) when considering the awarding of
17 funds for the deployment of broadband internet
18 access service under any future program admin-
19 istered by the Administration;

20 “(5) make available to any Federal agency, upon
21 request, the maps created under paragraph (1); and

22 “(6) make public at an appropriate level of
23 granularity—

24 “(A) the maps created under paragraph (1);

25 and

1 “(B) the data collected by the Commission
 2 with respect to the availability of broadband
 3 internet access service and the quality of service
 4 with respect to broadband internet access service.

5 “(d) *DELAYED EFFECTIVE DATE FOR QUALITY OF*
 6 *SERVICE RULES.*—Any requirement of a rule issued under
 7 subsection (a)(1) that relates to quality of service shall take
 8 effect not earlier than the date that is 180 days after the
 9 date on which the Commission issues that rule.

10 **“SEC. 803. ENFORCEMENT.**

11 *“It shall be unlawful for an entity or individual to*
 12 *willfully and knowingly, or recklessly, submit information*
 13 *or data under this title that is materially inaccurate or*
 14 *incomplete with respect to the availability of broadband*
 15 *internet access service or the quality of service with respect*
 16 *to broadband internet access service.*

17 **“SEC. 804. IMPROVING DATA ACCURACY.**

18 “(a) *AUDITS.*—The Commission shall conduct regular
 19 audits of information submitted to the Commission by pro-
 20 viders under section 802(b)(2) to ensure that the providers
 21 are complying with this title.

22 “(b) *CROWDSOURCING.*—

23 “(1) *IN GENERAL.*—The Commission shall de-
 24 velop a process through which entities or individuals
 25 in the United States may submit specific information

1 *about the deployment and availability of broadband*
 2 *internet access service in the United States on an on-*
 3 *going basis so that the information may be used to*
 4 *verify and supplement information provided by pro-*
 5 *viders of broadband internet access service for inclu-*
 6 *sion in the maps created under section 802(c)(1).*

7 “(2) *COLLABORATION.*—*As part of the efforts of*
 8 *the Commission to facilitate the ability of entities and*
 9 *individuals to submit information under paragraph*
 10 *(1), the Commission shall—*

11 “(A) *prioritize the consideration of data*
 12 *provided by data collection applications used by*
 13 *consumers that the Commission has deter-*
 14 *mined—*

15 “(i) *are highly reliable; and*

16 “(ii) *have proven methodologies for de-*
 17 *termining network coverage and network*
 18 *performance;*

19 “(B) *not later than 1 year after the date of*
 20 *enactment of this title, conclude a process that*
 21 *tests the feasibility of partnering with Federal*
 22 *agencies that operate delivery fleet vehicles, in-*
 23 *cluding the United States Postal Service, to fa-*
 24 *cilitate the collection and submission of informa-*
 25 *tion described in that paragraph; and*

1 “(C) not later than 14 months after the date
 2 of enactment of this title, publish on the website
 3 of the Commission, and submit to the Committee
 4 on Commerce, Science, and Transportation of
 5 the Senate and the Committee on Energy and
 6 Commerce of the House of Representatives, a re-
 7 port regarding the testing described in subpara-
 8 graph (B), which shall include—

9 “(i) a determination regarding whether
 10 the partnerships with Federal agencies de-
 11 scribed in that subparagraph are able to fa-
 12 cilitate the collection and submission of in-
 13 formation described in paragraph (1); and

14 “(ii) any steps that the Commission
 15 plans to take to facilitate the partnerships
 16 described in that subparagraph.

17 “(c) *TECHNICAL ASSISTANCE TO INDIAN TRIBES.*—

18 “(1) *IN GENERAL.*—Subject to paragraph (2), the
 19 Commission shall hold workshops for Tribal Govern-
 20 ments in each of the 12 Bureau of Indian Affairs re-
 21 gions to provide technical assistance with the collec-
 22 tion and submission of data under section 802(a)(2).

23 “(2) *ANNUAL REVIEW.*—Each year, the Commis-
 24 sion, in consultation with Indian Tribes, shall review

1 *the need for continued workshops required under*
 2 *paragraph (1).*

3 “(d) *TECHNICAL ASSISTANCE TO SMALL SERVICE*
 4 *PROVIDERS.—The Commission shall establish a process*
 5 *through which a provider that has fewer than 100,000 ac-*
 6 *tive broadband internet access service connections may re-*
 7 *quest and receive assistance from the Commission with re-*
 8 *spect to geographic information system data processing to*
 9 *ensure that the provider is able to comply with the require-*
 10 *ments under section 802(b) in a timely and accurate man-*
 11 *ner.*

12 “(e) *TECHNICAL ASSISTANCE TO STATE, LOCAL, AND*
 13 *TRIBAL GOVERNMENTS AND CONSUMERS.—The Commis-*
 14 *sion shall provide technical assistance to consumers and*
 15 *State, local, and Tribal governmental entities with respect*
 16 *to the challenge process established under section 802(b)(5),*
 17 *which shall include—*

18 “(1) *detailed tutorials and webinars; and*

19 “(2) *the provision of staff of the Commission to*
 20 *provide assistance, as needed, throughout the entirety*
 21 *of the challenge process.*

22 “(f) *GAO ASSESSMENT OF FABRIC SOURCE DATA.—*

23 “(1) *IN GENERAL.—The Comptroller General of*
 24 *the United States shall conduct an assessment of key*
 25 *data sources that are used for purposes of the Fabric*

1 to identify and geocode locations where fixed
 2 broadband internet access service can be installed in
 3 order for the Comptroller General to develop rec-
 4 ommendations for how the quality and completeness
 5 of those data sources can be improved as data sources
 6 for the Fabric.

7 “(2) *SOURCES INCLUDED.*—For the purposes of
 8 the assessment conducted under paragraph (1), the
 9 key data sources described in that paragraph shall in-
 10 clude—

11 “(A) any relevant sources of Federal data,
 12 including the National Address Database admin-
 13 istered by the Department of Transportation;

14 “(B) State- and county-level digitized par-
 15 cel data; and

16 “(C) property tax attribute recording.

17 “(3) *REPORT.*—Not later than 1 year after the
 18 date of enactment of this title, the Comptroller Gen-
 19 eral of the United States shall submit to the Com-
 20 mittee on Commerce, Science, and Transportation of
 21 the Senate and the Committee on Energy and Com-
 22 merce of the House of Representatives a report that
 23 contains the recommendations developed under para-
 24 graph (1).

1 **“SEC. 805. COST.**

2 “(a) *USF.*—*The Commission may not use funds from*
 3 *the universal service programs of the Commission estab-*
 4 *lished under section 254, and the regulations issued under*
 5 *that section, to pay for any costs associated with this title.*

6 “(b) *OTHER FUNDS.*—*The Commission may recover*
 7 *costs associated with this title under section 9 to the extent*
 8 *provided for in an appropriation Act, as required under*
 9 *subsection (a) of that section.*

10 **“SEC. 806. OTHER PROVISIONS.**

11 “(a) *OMB.*—*Notwithstanding any other provision of*
 12 *law, the initial rule making required under section*
 13 *802(a)(1) shall be exempt from review by the Office of Man-*
 14 *agement and Budget.*

15 “(b) *PRA.*—*Subchapter I of chapter 35 of title 44,*
 16 *United States Code (commonly known as the ‘Paperwork*
 17 *Reduction Act’)* shall not apply to the initial rule making
 18 *required under section 802(a)(1).*

19 “(c) *EXECUTION OF RESPONSIBILITIES.*—*Except, with*
 20 *respect to an entity that is not the Universal Service Ad-*
 21 *ministrative Company, as provided in section*
 22 *802(a)(2)(B), section 802(b)(1)(A)(ii), and subsections (c),*
 23 *(d), and (e) of section 804, the Commission—*

24 “(1) *including the offices of the Commission,*
 25 *shall carry out the responsibilities assigned to the*
 26 *Commission under this title; and*

1 “(2) may not delegate any of the responsibilities
 2 assigned to the Commission under this title to any
 3 third party, including the Universal Service Adminis-
 4 trative Company.

5 “(d) *REPORTING*.—Each fiscal year, the Commission
 6 shall submit to the Committee on Commerce, Science, and
 7 Transportation of the Senate and the Committee on Energy
 8 and Commerce of the House of Representatives a report that
 9 summarizes the implementation of this title and associated
 10 enforcement activities conducted during the previous fiscal
 11 year.

12 “(e) *RULE OF CONSTRUCTION*.—If the Commission, be-
 13 fore the date of enactment of this title, has taken an action
 14 that, in whole or in part, implements this title, the Commis-
 15 sion shall not be required to revisit such action to the extent
 16 that such action is consistent with this title.”.

Attest:

Clerk.

116TH CONGRESS
2^D SESSION

S. 1822

AMENDMENT