

116TH CONGRESS  
1ST SESSION

# S. 1822

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## 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.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Broadband Deploy-  
3 ment 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 SERV-  
12 ICE.—The term ‘broadband internet access service’  
13 has the meaning given the term in section 8.1(b) of  
14 title 47, Code of Federal Regulations, or any suc-  
15 cessor regulation.

16 “(2) BROADBAND MAP.—The term ‘Broadband  
17 Map’ means the map created by the Commission  
18 under section 802(c)(1)(A).

19 “(3) CELL EDGE PROBABILITY.—The term ‘cell  
20 edge probability’ means the likelihood that the min-  
21 imum threshold download and upload speeds with  
22 respect to broadband internet access service will be  
23 met or exceeded at a distance from a base station  
24 that is intended to indicate the ultimate edge of the  
25 coverage area of a cell.

1           “(4) CELL LOADING.—The term ‘cell loading’  
2 means the percentage of the available air interface  
3 resources of a base station that are used by con-  
4 sumers with respect to broadband internet access  
5 service.

6           “(5) CLUTTER.—The term ‘clutter’ means a  
7 natural or man-made surface feature that affects the  
8 propagation of a signal from a base station.

9           “(6) FABRIC.—The term ‘Fabric’ means the  
10 Broadband Serviceable Location Fabric established  
11 under section 802(b)(1)(B).

12           “(7) FORM 477.—The term ‘Form 477’ means  
13 Form 477 of the Commission relating to local tele-  
14 phone competition and broadband reporting.

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

19           “(9) MOBILITY FUND PHASE II.—The term  
20 ‘Mobility Fund Phase II’ means the second phase of  
21 the proceeding to provide universal service support  
22 from the Mobility Fund (WC Docket No. 10–90;  
23 WT Docket No. 10–208).

24           “(10) PROPAGATION MODEL.—The term ‘prop-  
25 agation model’ means a mathematical formulation

1 for the characterization of radio wave propagation as  
2 a function of frequency, distance, and other condi-  
3 tions.

4 “(11) PROVIDER.—The term ‘provider’ means a  
5 provider of fixed or mobile broadband internet access  
6 service.

7 “(12) QUALITY OF SERVICE.—The term ‘qual-  
8 ity of service’ means, with respect to broadband  
9 internet access service, the download and upload  
10 speeds (and, for relevant services, latency) with re-  
11 spect to that service, as determined by, and to the  
12 extent otherwise collected by, the Commission.

13 “(13) SHAPEFILE.—The term ‘shapefile’ means  
14 a digital storage format containing geospatial or lo-  
15 cation-based data and attribute information—

16 “(A) regarding the availability of  
17 broadband internet access service; and

18 “(B) that can be viewed, edited, and  
19 mapped in geographic information system soft-  
20 ware.

21 “(14) STANDARD BROADBAND INSTALLA-  
22 TION.—The term ‘standard broadband installa-  
23 tion’—

24 “(A) means the initiation by a provider of  
25 fixed broadband internet access service in an

1 area in which the provider has not previously  
2 offered that service, with no charges or delays  
3 attributable to the extension of the network of  
4 the provider; and

5 “(B) includes the initiation of fixed  
6 broadband internet access service through rou-  
7 tine installation that can be completed not later  
8 than 10 business days after the date on which  
9 the service request is submitted.

10 **“SEC. 802. BROADBAND MAPS.**

11 “(a) RULES.—

12 “(1) IN GENERAL.—Not later than 180 days  
13 after the date of enactment of this title, the Com-  
14 mission shall issue final rules that shall—

15 “(A) require the biannual collection and  
16 dissemination of granular data, as determined  
17 by the Commission—

18 “(i) relating to the availability and  
19 quality of service with respect to terrestrial  
20 fixed, fixed wireless, satellite, and mobile  
21 broadband internet access service; and

22 “(ii) that the Commission shall use to  
23 compile the maps created under subsection  
24 (c)(1) (referred to in this section as ‘cov-

1 erage maps’), which the Commission shall  
2 make publicly available; and

3 “(B) establish—

4 “(i) processes through which the Com-  
5 mission can verify the accuracy of data  
6 submitted under subsection (b)(2);

7 “(ii) processes and procedures  
8 through which the Commission, and, as  
9 necessary, other entities or individuals sub-  
10 mitting non-public or competitively sen-  
11 sitive information under this title, can pro-  
12 tect the security, privacy, and confiden-  
13 tiality of that non-public or competitively  
14 sensitive information, including—

15 “(I) information contained in the  
16 Fabric;

17 “(II) the dataset created under  
18 subsection (b)(1)(A) supporting the  
19 Fabric; and

20 “(III) the data submitted under  
21 subsection (b)(2);

22 “(iii) the challenge process described  
23 in subsection (b)(5); and

24 “(iv) the process described in section  
25 804(b).

1           “(2) OTHER DATA.—In issuing the rules under  
2 paragraph (1), the Commission shall develop a pro-  
3 cess through which the Commission can collect  
4 verified data for use in the coverage maps from—

5           “(A) State, local, and Tribal governmental  
6 entities that are primarily responsible for map-  
7 ping or tracking broadband internet access  
8 service coverage for a State, unit of local gov-  
9 ernment, or Indian Tribe, as applicable;

10           “(B) third parties, if the Commission de-  
11 termines that it is in the public interest to use  
12 such data in—

13           “(i) the development of the coverage  
14 maps; or

15           “(ii) the verification of data submitted  
16 under subsection (b); and

17           “(C) other Federal agencies.

18           “(3) UPDATES.—The Commission shall revise  
19 the rules issued under paragraph (1) to—

20           “(A) reflect changes in technology;

21           “(B) ensure the accuracy of propagation  
22 models, as further provided in subsection  
23 (b)(3); and

24           “(C) improve the usefulness of the cov-  
25 erage maps.

1 “(b) CONTENT OF RULES.—

2 “(1) ESTABLISHMENT OF A SERVICEABLE LO-  
3 CATION FABRIC REGARDING FIXED BROADBAND.—

4 “(A) DATASET.—

5 “(i) IN GENERAL.—The Commission  
6 shall create a common dataset of all loca-  
7 tions in the United States where fixed  
8 broadband internet access service can be  
9 installed, as determined by the Commis-  
10 sion.

11 “(ii) CONTRACTING.—

12 “(I) IN GENERAL.—Subject to  
13 subclauses (II) and (III), the Commis-  
14 sion may contract with an entity with  
15 expertise with respect to geographic  
16 information systems (referred to in  
17 this subsection as ‘GIS’) to create and  
18 maintain the dataset under clause (i).

19 “(II) APPLICATION OF THE FED-  
20 ERAL ACQUISITION REGULATION.—A  
21 contract into which the Commission  
22 enters under subclause (I) shall in all  
23 respects comply with applicable provi-  
24 sions of the Federal Acquisition Regu-  
25 lation.



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“(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

“(BB) that complies with the requirements under subclause (II) and this subclause; and

“(cc) the contract shall—

“(AA) prohibit the entity described in item (aa) from selling, leasing, or oth-

1                   erwise disclosing for mone-  
2                   etary consideration any per-  
3                   sonally identifiable informa-  
4                   tion to any other entity  
5                   other than for purposes au-  
6                   thorized under this title; and  
7                   “**(BB)** require the enti-  
8                   ty described in item **(aa)** to  
9                   include in any contract with  
10                  any other entity a provision  
11                  that prohibits that other en-  
12                  tity from engaging in an ac-  
13                  tion that is prohibited under  
14                  subitem **(AA)**.

15                  “**(B) FABRIC**.—The rules issued by the  
16                  Commission under subsection **(a)(1)** shall estab-  
17                  lish the Broadband Serviceable Location Fab-  
18                  ric, which shall—

19                         “(i) contain geocoded information for  
20                         each location identified under subpara-  
21                         graph **(A)(i)**;

22                         “(ii) serve as the foundation upon  
23                         which all data relating to the availability of  
24                         fixed broadband internet access service col-

1           lected under paragraph (2)(A) shall be re-  
2           ported and overlaid;

3           “ (iii) be compatible with commonly  
4           used GIS software; and

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

7           “ (C) IMPLEMENTATION PRIORITY.—The  
8           Commission shall prioritize implementing the  
9           Fabric for rural and insular areas of the United  
10          States.

11          “ (2) COLLECTION OF INFORMATION.—The  
12          rules issued by the Commission under subsection  
13          (a)(1) shall include uniform standards for the re-  
14          porting of broadband internet access service data  
15          that the Commission shall collect—

16                 “ (A) from each provider of terrestrial  
17                 fixed, fixed wireless, or satellite broadband  
18                 internet access service, which shall include data  
19                 that—

20                         “ (i) documents the areas where the  
21                         provider—

22                                 “ (I) has actually built out the  
23                                 broadband network infrastructure of  
24                                 the provider such that the provider is  
25                                 able to provide that service; and

1                   “(II) could provide that service,  
2                   as determined by identifying where  
3                   the provider is capable of performing  
4                   a standard broadband installation, if  
5                   applicable;

6                   “(ii) includes information regarding  
7                   download and upload speeds, at various  
8                   thresholds established by the Commission,  
9                   and, if applicable, latency with respect to  
10                  broadband internet access service that the  
11                  provider makes available;

12                  “(iii) can be georeferenced to the GIS  
13                  data in the Fabric;

14                  “(iv) the provider shall report as—

15                          “(I) with respect to providers of  
16                          fixed wireless broadband internet ac-  
17                          cess service—

18                                  “(aa) propagation maps and  
19                                  propagation model details that—

20    “(AA) satisfy standards  
21    that are similar to those ap-  
22    plicable to providers of mo-  
23    bile broadband internet ac-  
24    cess service under subpara-  
25    graph (B) with respect to

1 propagation maps and prop-  
2 agation model details, taking  
3 into account material dif-  
4 ferences between fixed wire-  
5 less and mobile broadband  
6 internet access service; and  
7 “(BB) reflect the  
8 speeds and latency of the  
9 service provided by the pro-  
10 vider; or  
11 “(bb) a list of addresses or  
12 locations that constitute the serv-  
13 ice area of the provider, except  
14 that the Commission—  
15 “(AA) may only permit,  
16 and not require, a provider  
17 to report the data using that  
18 means of reporting; and  
19 “(BB) in the rules  
20 issued under subsection  
21 (a)(1), shall provide a meth-  
22 od for using that means of  
23 reporting with respect to  
24 Tribal areas; and

1                   “(II) with respect to providers of  
2                   terrestrial fixed and satellite  
3                   broadband internet access service—

4                                 “(aa) polygon shapefiles; or

5                                 “(bb) a list of addresses or  
6                   locations that constitute the serv-  
7                   ice area of the provider, except  
8                   that the Commission—

9   “(AA) may only permit,  
10   and not require, a provider  
11   to report the data using that  
12   means of reporting; and

13   “(BB) in the rules  
14   issued under subsection  
15   (a)(1), shall provide a meth-  
16   od for using that means of  
17   reporting with respect to  
18   Tribal areas; and

19   “(v) the Commission determines is ap-  
20   propriate with respect to certain tech-  
21   nologies in order to ensure that the  
22   Broadband Map is granular and accurate;  
23   and

24   “(B) from each provider of mobile  
25                   broadband internet access service, which shall

1 include propagation maps and propagation  
2 model details that indicate the current (as of  
3 the date on which the information is collected)  
4 fourth generation Long-Term Evolution (com-  
5 monly referred to as ‘4G LTE’) mobile  
6 broadband internet access service coverage of  
7 the provider, which shall—

8 “(i) take into consideration the effect  
9 of clutter; and

10 “(ii) satisfy—

11 “(I) the requirements of hav-  
12 ing—

13 “(aa) a download speed of  
14 not less than 5 megabits per sec-  
15 ond and an upload speed of not  
16 less than 1 megabit per second  
17 with a cell edge probability of not  
18 less than 90 percent; and

19 “(bb) cell loading of not less  
20 than 50 percent; and

21 “(II) any other parameter that  
22 the Commission determines to be nec-  
23 essary to create a map under sub-  
24 section (c)(1)(C) that is more precise  
25 than the map produced as a result of

1 the submissions under the Mobility  
2 Fund Phase II information collection.

3 “(3) UPDATE OF REPORTING STANDARDS FOR  
4 MOBILE BROADBAND INTERNET ACCESS SERVICE.—  
5 For the purposes of paragraph (2)(B), if the Com-  
6 mission determines that the reporting standards  
7 under that paragraph are insufficient to collect accu-  
8 rate propagation maps and propagation model de-  
9 tails with respect to future generations of mobile  
10 broadband internet access service technologies, the  
11 Commission shall immediately commence a rule  
12 making to adopt new reporting standards with re-  
13 spect to those technologies that—

14 “(A) shall be the functional equivalent of  
15 the standards required under paragraph (2)(B);  
16 and

17 “(B) allow for the collection of propagation  
18 maps and propagation model details that are as  
19 accurate and granular as, or more accurate and  
20 granular than, the maps and model details col-  
21 lected by the Commission under paragraph  
22 (2)(B).

23 “(4) CERTIFICATION AND VERIFICATION.—  
24 With respect to a provider that submits information  
25 to the Commission under paragraph (2)—



1           “(A) the provider shall include in each sub-  
2 mission a certification from a corporate officer  
3 of the provider that the officer has examined  
4 the information contained in the submission  
5 and that, to the best of the officer’s actual  
6 knowledge, information, and belief, all state-  
7 ments of fact contained in the submission are  
8 true and correct; and

9           “(B) the Commission shall verify the accu-  
10 racy and reliability of the information in ac-  
11 cordance with measures established by the  
12 Commission.

13           “(5) CHALLENGE PROCESS.—

14           “(A) IN GENERAL.—In the rules issued  
15 under subsection (a), and subject to subpara-  
16 graph (B), the Commission shall establish a  
17 user-friendly challenge process through which  
18 consumers, State, local, and Tribal govern-  
19 mental entities, and other entities or individuals  
20 may submit coverage data to the Commission to  
21 challenge the accuracy of—

22                   “(i) the coverage maps;

23                   “(ii) any information submitted by a  
24 provider regarding the availability of  
25 broadband internet access service; or

1                   “(iii) the information included in the  
2                   Fabric.

3                   “(B) CONSIDERATIONS; VERIFICATION; RE-  
4                   SPONSE TO CHALLENGES.—In establishing the  
5                   challenge process required under subparagraph  
6                   (A), the Commission shall—

7                   “(i) consider—

8                                 “(I) the types of information that  
9                                 an entity or individual submitting a  
10                                challenge should provide to the Com-  
11                               mission in support of the challenge;

12                               “(II) the appropriate level of  
13                               granularity for the information de-  
14                               scribed in subclause (I);

15                               “(III) the need to mitigate the  
16                               time and expense incurred by, and the  
17                               administrative burdens placed on, en-  
18                               tities or individuals in—

19   “(aa) challenging the accu-  
20   racy of a coverage map; and

21   “(bb) responding to chal-  
22   lenges described in item (aa);

23                                 “(IV) the costs to consumers and  
24                                 providers resulting from a  
25                                 misallocation of funds because of a re-

1           liance on outdated or otherwise inaccurate  
2           information in the coverage  
3           maps;

4           “(V) any lessons learned from  
5           the challenge process established  
6           under Mobility Fund Phase II, as determined  
7           from comments solicited by  
8           the Commission; and

9           “(VI) the need for user-friendly  
10          challenge submission formats that will  
11          promote participation in the challenge  
12          process;

13          “(ii) include a process for verifying  
14          the data submitted through the challenge  
15          process in order to ensure the reliability of  
16          that data;

17          “(iii) allow providers to respond to  
18          challenges submitted through the challenge  
19          process; and

20          “(iv) develop an online mechanism,  
21          which—

22                  “(I) shall be integrated into the  
23                  coverage maps;

24                  “(II) allows for an entity described  
25                  in subparagraph (A) to submit

1 a challenge under the challenge proc-  
2 ess;

3 “(III) makes challenge data  
4 available in both geographic informa-  
5 tion system and non-geographic infor-  
6 mation system formats; and

7 “(IV) clearly identifies the areas  
8 in which broadband internet access  
9 service is available, and the upload  
10 and download speeds at which that  
11 service is available, as reported to the  
12 Commission under this section.

13 “(C) USE OF CHALLENGES.—The rules  
14 issued to establish the challenge process under  
15 subparagraph (A) shall include—

16 “(i) a process for the speedy resolu-  
17 tion of challenges; and

18 “(ii) a process for the regular and ex-  
19 peditious updating of the coverage maps  
20 and granular data disseminated by the  
21 Commission as challenges are resolved.

22 “(D) REPORT TO CONGRESS.—Not earlier  
23 than 1 year, and not later than 18 months,  
24 after the date on which the rules issued under  
25 subsection (a)(1) take effect, the Commission

1 shall, after an opportunity for notice and com-  
2 ment, submit to the Committee on Commerce,  
3 Science, and Transportation of the Senate and  
4 the Committee on Energy and Commerce of the  
5 House of Representatives a report that—

6 “(i) evaluates the challenge process  
7 described in subparagraph (A); and

8 “(ii) considers whether the Commis-  
9 sion should commence an inquiry on the  
10 need for other tools to help—

11 “(I) identify potential inaccura-  
12 cies in the data relating to broadband  
13 internet access service that providers  
14 report; and

15 “(II) improve the accuracy of the  
16 data described in subclause (I).

17 “(6) REFORM OF FORM 477 PROCESS.—

18 “(A) IN GENERAL.—Not later than 180  
19 days after the date on which the rules issued  
20 under subsection (a) take effect, the Commis-  
21 sion shall—

22 “(i) reform the Form 477 broadband  
23 deployment service availability collection  
24 process of the Commission—

1 “(I) to achieve the purposes of  
2 this title; and

3 “(II) in a manner that—

4 “(aa) enables the compari-  
5 son of data and maps produced  
6 before the implementation of this  
7 title with data and coverage  
8 maps produced after the imple-  
9 mentation of this title; and

10 “(bb) maintains the public  
11 availability of data relating to the  
12 deployment of broadband internet  
13 access service; and

14 “(ii) harmonize reporting require-  
15 ments and procedures regarding the de-  
16 ployment of broadband internet access  
17 service that are in effect on the day before  
18 the date on which the rules issued under  
19 subsection (a)(1) take effect with those re-  
20 quirements and procedures in those rules.

21 “(B) CONTINUED COLLECTION AND RE-  
22 PORTING.—On and after the date on which the  
23 Commission carries out subparagraph (A), the  
24 Commission shall continue to collect and pub-  
25 licly report subscription data that the Commis-

1           sion collected through the Form 477 broadband  
2           deployment service availability process, as in ef-  
3           fect on July 1, 2019.

4           “(7) SHARING DATA WITH NTIA.—The Commis-  
5           sion shall establish a process to make the data col-  
6           lected under paragraph (2) available to the National  
7           Telecommunications and Information Administra-  
8           tion.

9           “(c) MAPS.—The Commission shall—

10           “(1) after consultation with the Federal Geo-  
11           graphic Data Committee established under section  
12           753(a) of the Geospatial Data Act of 2018, create—

13           “(A) the Broadband Map, which shall de-  
14           pict—

15           “(i) the extent of the availability of  
16           broadband internet access service in the  
17           United States, without regard to whether  
18           that service is fixed broadband internet ac-  
19           cess service or mobile broadband internet  
20           access service, which shall be based on  
21           data collected by the Commission from all  
22           providers; and

23           “(ii) the areas of the United States  
24           that remain unserved by providers;

1           “(B) a map that depicts the availability of  
2           fixed broadband internet access service, which  
3           shall be based on data collected by the Commis-  
4           sion from providers under subsection (b)(2)(A);  
5           and

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

10          “(2) use the maps created under paragraph  
11          (1)—

12           “(A) to determine the areas in which ter-  
13           restrial fixed, fixed wireless, mobile, and sat-  
14           ellite broadband internet access service is and is  
15           not available; and

16           “(B) when making any new award of fund-  
17           ing with respect to the deployment of  
18           broadband internet access service;

19          “(3) update the maps created under paragraph  
20          (1) not less frequently than biannually using the  
21          most recent data collected from providers under sub-  
22          section (b)(2);

23          “(4) consult with—

24           “(A) the Secretary of Agriculture to enable  
25           the Secretary of Agriculture to consult the



1 maps created under paragraph (1) when consid-  
2 ering the awarding of funds for the deployment  
3 of broadband internet access service under any  
4 program administered by the Administrator of  
5 the Rural Utilities Service; and

6 “(B) the National Telecommunications and  
7 Information Administration to enable the Ad-  
8 ministration to consult the maps created under  
9 paragraph (1) when considering the awarding  
10 of funds for the deployment of broadband inter-  
11 net access service under any future program ad-  
12 ministered by the Administration;

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

16 “(6) make public at an appropriate level of  
17 granularity—

18 “(A) the maps created under paragraph  
19 (1); and

20 “(B) the data collected by the Commission  
21 with respect to the availability of broadband  
22 internet access service and the quality of service  
23 with respect to broadband internet access serv-  
24 ice.

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

6 **“SEC. 803. ENFORCEMENT.**

7       “It shall be unlawful for an entity or individual to  
8 willfully and knowingly, or recklessly, submit information  
9 or data under this title that is materially inaccurate or  
10 incomplete with respect to the availability of broadband  
11 internet access service or the quality of service with re-  
12 spect to broadband internet access service.

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

14       “(a) AUDITS.—The Commission shall conduct reg-  
15 ular audits of information submitted to the Commission  
16 by providers under section 802(b)(2) to ensure that the  
17 providers are complying with this title.

18       “(b) CROWDSOURCING.—

19               “(1) IN GENERAL.—The Commission shall de-  
20 velop a process through which entities or individuals  
21 in the United States may submit specific informa-  
22 tion about the deployment and availability of  
23 broadband internet access service in the United  
24 States on an ongoing basis so that the information  
25 may be used to verify and supplement information

1 provided by providers of broadband internet access  
2 service for inclusion in the maps created under sec-  
3 tion 802(e)(1).

4 “(2) COLLABORATION.—As part of the efforts  
5 of the Commission to facilitate the ability of entities  
6 and individuals to submit information under para-  
7 graph (1), the Commission shall—

8 “(A) prioritize the consideration of data  
9 provided by data collection applications used by  
10 consumers that the Commission has deter-  
11 mined—

12 “(i) are highly reliable; and

13 “(ii) have proven methodologies for  
14 determining network coverage and network  
15 performance;

16 “(B) not later than 1 year after the date  
17 of enactment of this title, conclude a process  
18 that tests the feasibility of partnering with Fed-  
19 eral agencies that operate delivery fleet vehicles,  
20 including the United States Postal Service, to  
21 facilitate the collection and submission of infor-  
22 mation described in that paragraph; and

23 “(C) not later than 14 months after the  
24 date of enactment of this title, publish on the  
25 website of the Commission, and submit to the

1           Committee on Commerce, Science, and Trans-  
2           portation of the Senate and the Committee on  
3           Energy and Commerce of the House of Rep-  
4           resentatives, a report regarding the testing de-  
5           scribed in subparagraph (B), which shall in-  
6           clude—

7                   “(i) a determination regarding wheth-  
8                   er the partnerships with Federal agencies  
9                   described in that subparagraph are able to  
10                  facilitate the collection and submission of  
11                  information described in paragraph (1);  
12                  and

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

16           “(c) TECHNICAL ASSISTANCE TO INDIAN TRIBES.—

17                   “(1) IN GENERAL.—Subject to paragraph (2),  
18                   the Commission shall hold workshops for Tribal gov-  
19                   ernments in each of the 12 Bureau of Indian Affairs  
20                   regions to provide technical assistance with the col-  
21                   lection and submission of data under section  
22                   802(a)(2).

23                   “(2) ANNUAL REVIEW.—Each year, the Com-  
24                   mission, in consultation with Indian Tribes, shall re-

1 view the need for continued workshops required  
2 under 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,  
13 AND TRIBAL GOVERNMENTS AND CONSUMERS.—The  
14 Commission shall provide technical assistance to con-  
15 sumers and State, local, and Tribal governmental entities  
16 with respect to the challenge process established under  
17 section 802(b)(5), 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 en-  
21 tirety 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  
25 key data sources that are used for purposes of the

1 Fabric 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  
6 sources 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  
10 include—

11 “(A) any relevant sources of Federal data,  
12 including the National Address Database ad-  
13 ministered by the Department of Transpor-  
14 tation;

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

17 “(C) property tax attribute recording.

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

1 **“SEC. 805. COST.**

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

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

11 **“SEC. 806. OTHER PROVISIONS.**

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

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

20 “(c) EXECUTION OF RESPONSIBILITIES.—Except as  
21 provided in section 802(b)(1)(A)(ii), the Commission—

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

25 “(2) may not delegate any of the responsibil-  
26 ities assigned to the Commission under this title to

1 any third party, including the Universal Service Ad-  
2 ministrative Company.

3 “(d) REPORTING.—Each fiscal year, the Commission  
4 shall submit to the Committee on Commerce, Science, and  
5 Transportation of the Senate and the Committee on En-  
6 ergy and Commerce of the House of Representatives a re-  
7 port that summarizes the implementation of this title and  
8 associated enforcement activities conducted during the  
9 previous fiscal year.

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

Passed the Senate December 19, 2019.

Attest:

*Secretary.*





116<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**S. 1822**

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**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.