

116TH CONGRESS
1ST SESSION

H. R. 4229

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 information regarding offered
9 download and upload speeds and latency of a pro-
10 vider’s broadband internet access service as deter-
11 mined by and to the extent otherwise collected by
12 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 where the provider has not previously of-
2 fered that service, with no charges or delays at-
3 tributable to the extension of the network of the
4 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 rules that shall—

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

18 “(i) relating to the availability and
19 quality of service of terrestrial fixed, fixed
20 wireless, satellite, and mobile broadband
21 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 persons submit-
10 ting non-public or competitively sensitive
11 information under this title, can protect
12 the security, privacy, and confidentiality of
13 such non-public or competitively sensitive
14 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

25 803(b).

1 “(2) OTHER DATA.—In issuing the rules under
2 paragraph (1), the Commission shall develop a process
3 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 mapping
7 or tracking broadband internet access
8 service coverage for a State, unit of local government,
9 or Indian Tribe, as applicable;

10 “(B) third parties, including industry analysis,
11 mapping, or tracking of broadband internet access
12 service coverage and quality of service, if the Commission
13 determines that it is in the public interest to use such
14 data in—

15 “(i) the development of the coverage
16 maps; or

17 “(ii) the verification of data submitted
18 under subsection (b); and

19 “(C) other Federal agencies.

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

22 “(A) reflect changes in technology;

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

1 “(C) improve the usefulness of the cov-
2 erage maps.

3 “(b) CONTENT OF RULES.—

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

6 “(A) DATASET.—

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

13 “(ii) CONTRACTING.—

14 “(I) IN GENERAL.—Subject to
15 subclauses (II) and (III), the Commis-
16 sion may only contract with an entity
17 with expertise with respect to geo-
18 graphic information systems (referred
19 to in this subsection as ‘GIS’) to cre-
20 ate and maintain the dataset under
21 clause (i).

22 “(II) APPLICATION OF THE FED-
23 ERAL ACQUISITION REGULATION.—A
24 contract into which the Commission
25 enters under subclause (I) shall in all

1 respects comply with applicable provi-
2 sions of the Federal Acquisition Regu-
3 lation.

4 “(III) LIMITATIONS.—With re-
5 spect to a contract into which the
6 Commission enters under subclause
7 (I)—

8 “(aa) the entity with which
9 the Commission contracts shall
10 be selected through a competitive
11 bid process that is transparent
12 and open;

13 “(bb) the contract shall be
14 for a term of not longer than 5
15 years, after which the Commis-
16 sion may enter into a new con-
17 tract—

18 “(AA) with an entity,
19 and for the purposes, de-
20 scribed in clause (i); and

21 “(BB) that complies
22 with the requirements under
23 subclause (II) and this sub-
24 clause; and

1 “(cc) the contract shall pro-
2 hibit the entity with which the
3 Commission contracts (and re-
4 quire such entity to include in
5 any contract with any other enti-
6 ty with which such entity con-
7 tracts a provision prohibiting
8 such other entity) from selling,
9 leasing, or otherwise disclosing
10 for monetary consideration any
11 personally identifiable informa-
12 tion to any entity other than for
13 purposes authorized under this
14 title.

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)(1), and subject to sub-
16 paragraph (B), the Commission shall establish
17 a user-friendly challenge process through which
18 consumers, State, local, and Tribal govern-
19 mental entities, and other entities or persons
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 person submitting a chal-
10 lenge should provide to the Commis-
11 sion 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 persons 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 information in the coverage
2 maps;
3

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

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 or person described in subparagraph (A) to
25

1 submit a challenge under the chal-
2 lenge process;

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 the Commission dis-
21 seminate as challenges are resolved.

22 “(D) AUTOMATION TOOL.—Not earlier
23 than 1 year after, and not later than 18 months
24 after, the rules issued under subsection (a)(1)
25 are implemented, the Commission shall, after

1 an opportunity for notice and comment, submit
2 to the Committee on Energy and Commerce of
3 the House of Representatives and the Com-
4 mittee on Commerce, Science, and Transpor-
5 tation of the Senate a report that—

6 “(i) evaluates the challenge process;

7 and

8 “(ii) considers whether the Commis-
9 sion should amend its rules to create an
10 automated tool that includes predictive ca-
11 pabilities to identify potential inaccuracies
12 and features that allow a provider of
13 broadband internet access service, the
14 Commission, and the public to visualize the
15 data relating to broadband internet access
16 service that the provider reports in order
17 to improve the accuracy of the data sub-
18 mitted by the provider.

19 “(6) REFORM OF FORM 477 PROCESS.—

20 “(A) IN GENERAL.—Not later than 180
21 days after the date on which the rules issued
22 under subsection (a)(1) take effect, the Com-
23 mission shall—

24 “(i) reform the Form 477 broadband
25 deployment service availability collection

1 process of the Commission to achieve the
2 purposes of this title and in a manner that
3 enables the comparison of data and maps
4 produced before the implementation of this
5 title with data and coverage maps pro-
6 duced after the implementation of this title
7 and maintains the public availability of
8 broadband deployment service availability
9 data; and

10 “(ii) harmonize reporting require-
11 ments and procedures regarding the de-
12 ployment of broadband internet access
13 service that, as of the date on which the
14 rules issued under subsection (a)(1) take
15 effect, are in effect.

16 “(B) CONTINUED COLLECTION AND RE-
17 PORTING.—On and after the date on which the
18 Commission carries out subparagraph (A), the
19 Commission shall continue to collect and pub-
20 licly report subscription data that the Commis-
21 sion collected through the Form 477 broadband
22 deployment service availability collection proc-
23 ess, as in effect on July 1, 2019.

24 “(c) MAPS.—The Commission shall—

1 “(1) after consulting with the Federal Geo-
2 graphic Data Committee established by section
3 753(a) of the Geospatial Data Act of 2018 (43
4 U.S.C. 2802(a)), create—

5 “(A) the Broadband Map, which shall de-
6 pict—

7 “(i) the extent of the availability of
8 broadband internet access service in the
9 United States, without regard to whether
10 that service is fixed broadband internet ac-
11 cess service or mobile broadband internet
12 access service, which shall be based on
13 data collected by the Commission from all
14 providers; and

15 “(ii) the areas of the United States
16 that remain unserved by providers;

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

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

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

3 “(A) to determine the areas in which ter-
4 restrial fixed, fixed wireless, mobile, and sat-
5 ellite broadband internet access service is and is
6 not available; and

7 “(B) when making any new award of fund-
8 ing with respect to the deployment of
9 broadband internet access service;

10 “(3) update the maps created under paragraph
11 (1) not less frequently than biannually using the
12 most recent data collected from providers under sub-
13 section (b)(2);

14 “(4) make available to all Federal agencies,
15 upon request, the maps created under paragraph
16 (1);

17 “(5) establish a process to make the data col-
18 lected under subsection (b)(2) available to the Na-
19 tional Telecommunications and Information Admin-
20 istration; and

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

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

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

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

9 **“SEC. 803. IMPROVING DATA ACCURACY.**

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

14 “(b) CROWDSOURCING.—

15 “(1) IN GENERAL.—The Commission shall—

16 “(A) develop a process through which enti-
17 ties or persons in the United States may submit
18 specific information about the deployment and
19 availability of broadband internet access service
20 in the United States on an ongoing basis so
21 that the information may be used to verify and
22 supplement information provided by providers
23 of broadband internet access service for inclu-
24 sion in the maps created under section
25 802(c)(1); and

1 “(B) update the maps created under sec-
2 tion 802(c)(1) on no less than an annual cycle
3 based on the information received through such
4 process.

5 “(2) COLLABORATION.—As part of the efforts
6 of the Commission to facilitate the ability of entities
7 or persons to submit information under paragraph
8 (1), the Commission shall—

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

13 “(i) are highly reliable; and

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

17 “(B) coordinate with the Postmaster Gen-
18 eral, or the heads of other Federal agencies
19 that operate delivery fleet vehicles, to facilitate
20 the submission of specific information by the
21 United States Postal Service or such other
22 agencies under paragraph (1).

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

24 “(1) IN GENERAL.—Subject to paragraph (2),
25 the Commission shall hold annual workshops for

1 Tribal governments to provide technical assistance
2 with the collection and submission of data under sec-
3 tion 802(a)(2)(A).

4 “(2) ANNUAL REVIEW.—Each year, the Com-
5 mission, in consultation with Indian Tribes, shall re-
6 view the need for continued workshops required
7 under paragraph (1).

8 “(d) TECHNICAL ASSISTANCE TO SMALL SERVICE
9 PROVIDERS.—The Commission shall establish a process
10 through which a provider that has fewer than 100,000 ac-
11 tive broadband internet access service connections may re-
12 quest and receive assistance from the Commission with re-
13 spect to geographic information system data processing to
14 ensure that the provider is able to comply with the rules
15 issued under section 802(a)(1) in a timely and accurate
16 manner.

17 “(e) GAO ASSESSMENT OF FABRIC SOURCE DATA.—

18 “(1) ASSESSMENT.—The Comptroller General
19 of the United States shall conduct an assessment of
20 key data sources that are used for purposes of the
21 Fabric to identify and geocode locations where fixed
22 broadband internet access service can be installed, in
23 order to develop recommendations for how the qual-
24 ity and completeness of such data sources can be im-
25 proved as data sources for the Fabric. Data sources

1 to be assessed shall include any sources of relevant
2 Federal data, including the National Address Data-
3 base administered by the Department of Transpor-
4 tation, State- and county-level digitized parcel data,
5 and property tax record tax attribute recording.

6 “(2) REPORT.—Not later than 1 year after the
7 date of the enactment of this title, the Comptroller
8 General shall submit to the Committee on Energy
9 and Commerce of the House of Representatives and
10 the Committee on Commerce, Science, and Trans-
11 portation of the Senate a report containing the rec-
12 ommendations developed in the assessment under
13 paragraph (1).

14 “(f) TECHNICAL ASSISTANCE TO CONSUMERS AND
15 STATE, LOCAL, AND TRIBAL GOVERNMENTAL ENTI-
16 TIES.—The Commission shall provide technical assistance
17 to consumers and State, local, and Tribal governmental
18 entities with respect to the challenge process established
19 under section 802(b)(5), which shall include—

20 “(1) detailed tutorials and webinars; and

21 “(2) making available staff of the Commission
22 to provide assistance, as needed, throughout the en-
23 tirety of the challenge process.

1 **“SEC. 804. COST.**

2 “(a) LIMITATION.—The Commission may not use
3 funds from the universal service programs of the Commis-
4 sion established under section 254, and the regulations
5 issued under that section, to carry out this title.

6 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
7 is authorized to be appropriated to the Commission to
8 carry out this title—

9 “(1) \$25,000,000 for fiscal year 2021; and

10 “(2) \$9,000,000 for each of the fiscal years
11 2022 through 2028.

12 **“SEC. 805. OTHER PROVISIONS.**

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

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

21 “(c) EXECUTION OF RESPONSIBILITIES.—Except,
22 with respect to an entity that is not the Universal Service
23 Administrative Company, as provided in sections
24 802(a)(2)(B), 802(b)(1)(A)(ii), and 803(d), the Commis-
25 sion—

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

4 “(2) may not delegate any of the responsibil-
5 ities assigned to the Commission under this title to
6 any third party, including the Universal Service Ad-
7 ministrative Company.

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

 Passed the House of Representatives December 16,
2019.

Attest:

Clerk.

116TH CONGRESS
1ST SESSION

H. R. 4229

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.