

116TH CONGRESS
1ST SESSION

S. 1822

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.

1 “(III) LIMITATIONS.—With re-
2 spect to a contract into which the
3 Commission enters under subclause
4 (I)—

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

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

15 “(AA) with an entity,
16 and for the purposes, de-
17 scribed in clause (i); and

18 “(BB) that complies
19 with the requirements under
20 subclause (II) and this sub-
21 clause; and

22 “(cc) the contract shall—

23 “(AA) prohibit the enti-
24 ty described in item (aa)
25 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 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 described in subparagraph (A) to submit
25

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.

116TH CONGRESS
1ST SESSION

S. 1822

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.