



**MEMORANDUM**

**June 13, 2022**

**To: Subcommittee on Communications and Technology Members and Staff**

**Fr: Committee on Energy and Commerce Staff**

**Re: Subcommittee Markup of Seven Communications and Technology Bills**

On **Wednesday, June 15, 2022, at 10:15 a.m. (EDT), in the John D. Dingell Room, 2123 of the Rayburn House Office Building and via Cisco WebEx online video conferencing**, the Subcommittee on Communications and Technology will hold a markup of the following seven bills:

**H.R. 4275**, the “Ensuring Phone and Internet Access for SNAP Recipients Act of 2021”; **H.R. 4990**, the “ITS Codification Act”; **H.R. 5400**, the “Preventing Disruptions to Universal Service Funds Act”; **H.R. 5486**, the “SMART Act”; **H.R. 7132**, the “Safe Connections Act of 2022”; **H.R. 7624**, the “Spectrum Innovation Act of 2022”; and **H.R. 7783**, the “Extending America’s Spectrum Auction Leadership Act of 2022.”

**I. H.R. 4275, THE “ENSURING PHONE AND INTERNET ACCESS FOR SNAP RECIPIENTS ACT OF 2021”**

Reps. Luria (D-VA) and Katko (R-NY) introduced H.R. 4275 on June 30, 2021. The legislation requires the Federal Communications Commission (FCC) to annually submit a report to Congress on the number of Supplemental Nutrition Assistance Program participants that are enrolled in the Lifeline Program, a program that provides discounted and no-charge phone service for low-income Americans. The legislation also requires the FCC to submit a report on the projected enrollment of new broadband Lifeline Program recipients that qualify for the Lifeline Program through federal assistance programs, among other things.

An amendment in the nature of a substitute (AINS) is expected to be offered to ensure that the report includes enrollment in the Affordable Connectivity Program and captures all of the automatic qualifying programs. The AINS will require the Government Accountability Office to conduct the report on outreach and publicity efforts, instead of the FCC.

**II. H.R. 4990, THE “INSTITUTE FOR TELECOMMUNICATIONS SCIENCES CODIFICATION ACT” OR “ITS CODIFICATION ACT”**

Rep. Carter (R-GA) introduced H.R. 4990 on August 10, 2021. The legislation amends the National Telecommunications and Information Administration Organization Act (NTIA Organization Act) by providing statutory authority for the Institute for Telecommunication Sciences. It also requires the Assistant Secretary for Communications and Information to establish

an initiative at the National Telecommunications and Information Administration to develop emergency communication technologies for use in locating individuals trapped in areas where mobile connectivity may not be available.

An AINS is expected to be offered to make technical amendments to the legislation.

**IV. H.R. 5400, THE “PREVENTING DISRUPTIONS TO UNIVERSAL SERVICE FUNDS ACT”**

Reps. Hayes (D-CT) and Veasey (D-TX) introduced H.R. 5400 on September 28, 2021. The legislation continues the longstanding practice of exempting the Universal Service Fund programs from Antideficiency Act provisions until December 31, 2024.

An AINS is expected to be offered to make change the duration of the exemption from three years to one year.

**V. H.R. 5486, THE “SIMPLIFYING MANAGEMENT, REALLOCATION, AND TRANSFER OF SPECTRUM ACT” OR “SMART ACT”**

Rep. Guthrie (R-KY) introduced H.R. 5486 on October 5, 2021. The legislation amends the NTIA Organization Act to require the Assistant Secretary for Communications and Information to implement a standardized framework to facilitate the sharing of spectrum between federal and non-federal entities.

An AINS is expected to be offered to make amendments to the legislation, including to the definition of covered spectrum.

**VI. H.R. 7132, THE “SAFE CONNECTIONS ACT OF 2022”**

Reps. Kuster (D-NH) and Eshoo (D-CA) introduced H.R. 7132 on March 17, 2022. The legislation amends the Communications Act by requiring mobile service providers, after receiving a line separation request from a survivor of domestic violence, human trafficking, and other related crimes for a mobile service contract shared with an abuser, to separate the line of the survivor (and the line of any individual in the care of the survivor) from the shared mobile service contract or separate the line of the abuser from the shared mobile service contract when technically feasible. The legislation also directs the FCC to issue rules, within 18 months of the Act’s enactment, implementing line separation requests from survivors of domestic violence, human trafficking, and other related crimes and to establish emergency communications support for these survivors.

An AINS is expected to be offered to make technical amendments to the legislation.

**VII. H.R. 7624, THE “SPECTRUM INNOVATION ACT OF 2022”**

Reps. Doyle (D-PA), Latta (R-OH), and 19 original cosponsors introduced H.R. 7624 on April 28, 2022. The legislation would make available additional frequencies in the 3.1–3.45 gigahertz (GHz) band for non-federal use, shared federal and non-federal use, or a combination thereof. No later than 24 months after the date of enactment, the Secretary of Commerce, in consultation with the Secretary of Defense, the Director of the Office of Science and Technology

Policy, and the FCC, must submit a report to the President, the FCC, and relevant congressional committees identifying at least 200 megahertz of frequencies in the 3.1-3.45 GHz band for non-federal use, shared federal and non-federal use, or a combination thereof. The Secretary of Commerce must also identify additional frequencies in the 3.1-3.45 GHz band that could be made available for non-federal use, shared federal and non-federal use, or a combination thereof. Not later than seven years after the date of enactment, the FCC, in coordination with the Assistant Secretary of Commerce for Communications and Information, must commence a system of competitive bidding under section 309(j) of the Communications Act for the at least 200 megahertz of frequencies identified in the 3.1-3.45 GHz band.

An AINS is expected to be offered to fund the Secure and Trusted Reimbursement Program and a newly authorized Next Generation 9-1-1 grant program from the proceeds of the auction required under the legislation.

#### **VIII. H.R. 7783, THE “EXTENDING AMERICA’S SPECTRUM AUCTION LEADERSHIP ACT OF 2022”**

Reps. Davids (D-KS), Joyce (R-PA), Welch (D-VT), and Johnson (R-OH) introduced H.R. 7783 on May 16, 2022. The legislation amends the Communications Act by extending the FCC’s general auction authority for an additional 18 months, to March 31, 2024.