

[Committee Print]

[SHOWING THE TEXT OF H.R. 4229 AS FORWARDED BY THE SUBCOMMITTEE
ON COMMUNICATIONS AND TECHNOLOGY ON NOVEMBER 14, 2019]

116TH CONGRESS
1ST SESSION

H. R. 4229

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.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 6, 2019

Mr. LOEBSACK (for himself, Mr. LATTA, Mr. MCEACHIN, and Mr. LONG) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

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 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, including industry anal-
11 ysis, mapping, or tracking of broadband inter-
12 net access service coverage and quality of serv-
13 ice, if the Commission determines that it is in
14 the public interest to use such 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; and

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.

1 “(B) FABRIC.—The rules issued by the
2 Commission under subsection (a)(1) shall estab-
3 lish the Broadband Serviceable Location Fab-
4 ric, which shall—

5 “(i) contain geocoded information for
6 each location identified under subpara-
7 graph (A)(i);

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

13 “(iii) be compatible with commonly
14 used GIS software; and

15 “(iv) at a minimum, be updated every
16 6 months by the Commission.

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

21 “(2) COLLECTION OF INFORMATION.—The
22 rules issued by the Commission under subsection
23 (a)(1) shall include uniform standards for the re-
24 porting of broadband internet access service data
25 that the Commission shall collect—

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

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

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

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

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

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

24 “(iv) the provider shall report as—

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

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

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

18 “(BB) reflect the
19 speeds and latency of the
20 service provided by the pro-
21 vider; or

22 “(bb) a list of addresses or
23 locations that constitute the serv-
24 ice area of the provider, except
25 that the Commission—

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

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

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

14 “(aa) polygon shapefiles; or

15 “(bb) a list of addresses or
16 locations that constitute the serv-
17 ice area of the provider, except
18 that the Commission—

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

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

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

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

9 “(B) from each provider of mobile
10 broadband internet access service, which shall
11 include propagation maps, and propagation
12 model details, that indicate the current (as of
13 the date on which the information is collected)
14 fourth generation Long-Term Evolution (com-
15 monly referred to as ‘4G LTE’) mobile
16 broadband internet access service coverage of
17 the provider, which shall—

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

20 “(ii) satisfy—

21 “(I) the requirements of hav-
22 ing—

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

1 less than 1 megabit per second
2 with a cell edge probability of not
3 less than 90 percent; and

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

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

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

1 “(A) shall be the functional equivalent of
2 the standards required under paragraph (2)(B);
3 and

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

10 “(4) CERTIFICATION AND VERIFICATION.—

11 With respect to a provider that submits information
12 to the Commission under paragraph (2)—

13 “(A) the provider shall include in each sub-
14 mission a certification from a corporate officer
15 of the provider that the officer has examined
16 the information contained in the submission
17 and that, to the best of the officer’s actual
18 knowledge, information, and belief, all state-
19 ments of fact contained in the submission are
20 true and correct; and

21 “(B) the Commission shall verify the accu-
22 racy and reliability of the information in ac-
23 cordance with measures established by the
24 Commission.

25 “(5) CHALLENGE PROCESS.—

1 “(A) IN GENERAL.—In the rules issued
2 under subsection (a)(1), and subject to sub-
3 paragraph (B), the Commission shall establish
4 a user-friendly challenge process through which
5 consumers, State, local, and Tribal govern-
6 mental entities, and other entities or persons
7 may submit coverage data to the Commission to
8 challenge the accuracy of—

9 “(i) the coverage maps;

10 “(ii) any information submitted by a
11 provider regarding the availability of
12 broadband internet access service; or

13 “(iii) the information included in the
14 Fabric.

15 “(B) CONSIDERATIONS; VERIFICATION; RE-
16 SPONSE TO CHALLENGES.—In establishing the
17 challenge process required under subparagraph
18 (A), the Commission shall—

19 “(i) consider—

20 “(I) the types of information that
21 an entity or person submitting a chal-
22 lenge should provide to the Commis-
23 sion in support of the challenge;

1 “(II) the appropriate level of
2 granularity for the information de-
3 scribed in subclause (I);

4 “(III) the need to mitigate the
5 time and expense incurred by, and the
6 administrative burdens placed on, en-
7 tities or persons in—

8 “(aa) challenging the accu-
9 racy of a coverage map; and

10 “(bb) responding to chal-
11 lenges described in item (aa);

12 “(IV) the costs to consumers and
13 providers resulting from a
14 misallocation of funds because of a re-
15 liance on outdated or otherwise inac-
16 curate information in the coverage
17 maps;

18 “(V) any lessons learned from
19 the challenge process established
20 under Mobility Fund Phase II, as de-
21 termined from comments solicited by
22 the Commission; and

23 “(VI) the need for user-friendly
24 challenge submission formats that will

1 promote participation in the challenge
2 process;

3 “(ii) include a process for verifying
4 the data submitted through the challenge
5 process in order to ensure the reliability of
6 that data;

7 “(iii) allow providers to respond to
8 challenges submitted through the challenge
9 process; and

10 “(iv) develop an online mechanism,
11 which—

12 “(I) shall be integrated into the
13 coverage maps;

14 “(II) allows for an entity or per-
15 son described in subparagraph (A) to
16 submit a challenge under the chal-
17 lenge process;

18 “(III) makes challenge data
19 available in both geographic informa-
20 tion system and non-geographic infor-
21 mation system formats; and

22 “(IV) clearly identifies the areas
23 in which broadband internet access
24 service is available, and the upload
25 and download speeds at which that

1 service is available, as reported to the
2 Commission under this section.

3 “(C) USE OF CHALLENGES.—The rules
4 issued to establish the challenge process under
5 subparagraph (A) shall include—

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

8 “(ii) a process for the regular and ex-
9 peditious updating of the coverage maps
10 and granular data the Commission dis-
11 seminate as challenges are resolved.

12 “(D) AUTOMATION TOOL.—Not earlier
13 than 1 year after, and not later than 18 months
14 after, the rules issued under subsection (a)(1)
15 are implemented, the Commission shall, after
16 an opportunity for notice and comment, submit
17 to the Committee on Energy and Commerce of
18 the House of Representatives and the Com-
19 mittee on Commerce, Science, and Transpor-
20 tation of the Senate a report that—

21 “(i) evaluates the challenge process;
22 and

23 “(ii) considers whether the Commis-
24 sion should amend its rules to create an
25 automated tool that includes predictive ca-

1 pabilities to identify potential inaccuracies
2 and features that allow a provider of
3 broadband internet access service, the
4 Commission, and the public to visualize the
5 data relating to broadband internet access
6 service that the provider reports in order
7 to improve the accuracy of the data sub-
8 mitted by the provider.

9 “(6) REFORM OF FORM 477 PROCESS.—

10 “(A) IN GENERAL.—Not later than 180
11 days after the date on which the rules issued
12 under subsection (a)(1) take effect, the Com-
13 mission shall—

14 “(i) reform the Form 477 broadband
15 deployment service availability collection
16 process of the Commission to achieve the
17 purposes of this title and in a manner that
18 enables the comparison of data and maps
19 produced before the implementation of this
20 title with data and coverage maps pro-
21 duced after the implementation of this title
22 and maintains the public availability of
23 broadband deployment service availability
24 data; and

1 “(ii) harmonize reporting require-
2 ments and procedures regarding the de-
3 ployment of broadband internet access
4 service that, as of the date on which the
5 rules issued under subsection (a)(1) take
6 effect, are in effect.

7 “(B) CONTINUED COLLECTION AND RE-
8 PORTING.—On and after the date on which the
9 Commission carries out subparagraph (A), the
10 Commission shall continue to collect and pub-
11 licly report subscription data that the Commis-
12 sion collected through the Form 477 broadband
13 deployment service availability collection proc-
14 ess, as in effect on July 1, 2019.

15 “(c) MAPS.—The Commission shall—

16 “(1) after consulting with the Federal Geo-
17 graphic Data Committee established by section
18 753(a) of the Geospatial Data Act of 2018 (43
19 U.S.C. 2802(a)), create—

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

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

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

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

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

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

16 “(2) use the maps created under paragraph
17 (1)—

18 “(A) to determine the areas in which ter-
19 restrial fixed, fixed wireless, mobile, and sat-
20 ellite broadband internet access service is and is
21 not available; and

22 “(B) when making any new award of fund-
23 ing with respect to the deployment of
24 broadband internet access service;

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

5 “(4) make available to all Federal agencies,
6 upon request, the maps created under paragraph
7 (1);

8 “(5) establish a process to make the data col-
9 lected under subsection (b)(2) available to the Na-
10 tional Telecommunications and Information Admin-
11 istration; and

12 “(6) make public at an appropriate level of
13 granularity—

14 “(A) the maps created under paragraph
15 (1); and

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

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

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

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

6 “(b) CROWDSOURCING.—

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

8 “(A) develop a process through which enti-
9 ties or persons in the United States may submit
10 specific information about the deployment and
11 availability of broadband internet access service
12 in the United States on an ongoing basis so
13 that the information may be used to verify and
14 supplement information provided by providers
15 of broadband internet access service for inclu-
16 sion in the maps created under section
17 802(c)(1); and

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

22 “(2) COLLABORATION.—As part of the efforts
23 of the Commission to facilitate the ability of entities
24 or persons to submit information under paragraph
25 (1), the Commission shall—

1 “(A) prioritize the consideration of data
2 provided by data collection applications used by
3 consumers that the Commission has deter-
4 mined—

5 “(i) are highly reliable; and

6 “(ii) have proven methodologies for
7 determining network coverage and network
8 performance; and

9 “(B) coordinate with the Postmaster Gen-
10 eral, or the heads of other Federal agencies
11 that operate delivery fleet vehicles, to facilitate
12 the submission of specific information by the
13 United States Postal Service or such other
14 agencies under paragraph (1).

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

16 “(1) IN GENERAL.—Subject to paragraph (2),
17 the Commission shall hold annual workshops for
18 Tribal governments to provide technical assistance
19 with the collection and submission of data under sec-
20 tion 802(a)(2)(A).

21 “(2) ANNUAL REVIEW.—Each year, the Com-
22 mission, in consultation with Indian Tribes, shall re-
23 view the need for continued workshops required
24 under paragraph (1).

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

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

11 “(1) ASSESSMENT.—The Comptroller General
12 of the United States shall conduct an assessment of
13 key data sources that are used for purposes of the
14 Fabric to identify and geocode locations where fixed
15 broadband internet access service can be installed, in
16 order to develop recommendations for how the qual-
17 ity and completeness of such data sources can be im-
18 proved as data sources for the Fabric. Data sources
19 to be assessed shall include any sources of relevant
20 Federal data, including the National Address Data-
21 base administered by the Department of Transpor-
22 tation, State- and county-level digitized parcel data,
23 and property tax record tax attribute recording.

24 “(2) REPORT.—Not later than 1 year after the
25 date of the enactment of this title, the Comptroller

1 General shall submit to the Committee on Energy
2 and Commerce of the House of Representatives and
3 the Committee on Commerce, Science, and Trans-
4 portation of the Senate a report containing the rec-
5 ommendations developed in the assessment under
6 paragraph (1).

7 “(f) TECHNICAL ASSISTANCE TO CONSUMERS AND
8 STATE, LOCAL, AND TRIBAL GOVERNMENTAL ENTI-
9 TIES.—The Commission shall provide technical assistance
10 to consumers and State, local, and Tribal governmental
11 entities with respect to the challenge process established
12 under section 802(b)(5), which shall include—

13 “(1) detailed tutorials and webinars; and

14 “(2) making available staff of the Commission
15 to provide assistance, as needed, throughout the en-
16 tirety of the challenge process.

17 **“SEC. 804. COST.**

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

22 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
23 is authorized to be appropriated to the Commission to
24 carry out this title—

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

1 “(2) \$9,000,000 for each of the fiscal years
2 2022 through 2028.

3 **“SEC. 805. OTHER PROVISIONS.**

4 “(a) OMB.—Notwithstanding any other provision of
5 law, the initial rulemaking required under section
6 802(a)(1) shall be exempt from review by the Office of
7 Management and Budget.

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

12 “(c) EXECUTION OF RESPONSIBILITIES.—Except,
13 with respect to an entity that is not the Universal Service
14 Administrative Company, as provided in sections
15 802(a)(2)(B), 802(b)(1)(A)(ii), and 803(d), the Commis-
16 sion—

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

20 “(2) may not delegate any of the responsibil-
21 ities assigned to the Commission under this title to
22 any third party, including the Universal Service Ad-
23 ministrative Company.

24 “(d) REPORTING.—Each fiscal year, the Commission
25 shall submit to the Committee on Commerce, Science, and

1 Transportation of the Senate and the Committee on En-
2 ergy and Commerce of the House of Representatives a re-
3 port that summarizes the implementation of this title and
4 associated enforcement activities conducted during the
5 previous fiscal year.”.