

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO S. 1822
OFFERED BY MR. PALLONE OF NEW JERSEY**

Strike all after the enacting clause and insert the following:

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).

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

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

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

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

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

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

1 “(9) MOBILITY FUND PHASE II.—The term
2 ‘Mobility Fund Phase II’ means the second phase of
3 the proceeding to provide universal service support
4 from the Mobility Fund (WC Docket No. 10–90;
5 WT Docket No. 10–208).

6 “(10) PROPAGATION MODEL.—The term ‘prop-
7 agation model’ means a mathematical formulation
8 for the characterization of radio wave propagation as
9 a function of frequency, distance, and other condi-
10 tions.

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

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

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

23 “(A) regarding the availability of
24 broadband internet access service; and

1 “(B) that can be viewed, edited, and
2 mapped in geographic information system soft-
3 ware.

4 “(14) STANDARD BROADBAND INSTALLA-
5 TION.—The term ‘standard broadband installa-
6 tion’—

7 “(A) means the initiation by a provider of
8 fixed broadband internet access service in an
9 area in which the provider has not previously
10 offered that service, with no charges or delays
11 attributable to the extension of the network of
12 the provider; and

13 “(B) includes the initiation of fixed
14 broadband internet access service through rou-
15 tine installation that can be completed not later
16 than 10 business days after the date on which
17 the service request is submitted.

18 **“SEC. 802. BROADBAND MAPS.**

19 “(a) RULES.—

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

23 “(A) require the biannual collection and
24 dissemination of granular data, as determined
25 by the Commission—

1 “(i) relating to the availability and
2 quality of service with respect to terrestrial
3 fixed, fixed wireless, satellite, and mobile
4 broadband internet access service; and

5 “(ii) that the Commission shall use to
6 compile the maps created under subsection
7 (c)(1) (referred to in this section as ‘cov-
8 erage maps’), which the Commission shall
9 make publicly available; and

10 “(B) establish—

11 “(i) processes through which the Com-
12 mission can verify the accuracy of data
13 submitted under subsection (b)(2);

14 “(ii) processes and procedures
15 through which the Commission, and, as
16 necessary, other entities or individuals sub-
17 mitting non-public or competitively sen-
18 sitive information under this title, can pro-
19 tect the security, privacy, and confiden-
20 tiality of that non-public or competitively
21 sensitive information, including—

22 “(I) information contained in the
23 Fabric;

1 “(II) the dataset created under
2 subsection (b)(1)(A) supporting the
3 Fabric; and

4 “(III) the data submitted under
5 subsection (b)(2);

6 “(iii) the challenge process described
7 in subsection (b)(5); and

8 “(iv) the process described in section
9 804(b).

10 “(2) OTHER DATA.—In issuing the rules under
11 paragraph (1), the Commission shall develop a proce-
12 ss through which the Commission can collect
13 verified data for use in the coverage maps from—

14 “(A) State, local, and Tribal governmental
15 entities that are primarily responsible for map-
16 ping or tracking broadband internet access
17 service coverage for a State, unit of local gov-
18 ernment, or Indian Tribe, as applicable;

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

22 “(i) the development of the coverage
23 maps; or

24 “(ii) the verification of data submitted
25 under subsection (b); and

1 “(C) other Federal agencies.

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

4 “(A) reflect changes in technology;

5 “(B) ensure the accuracy of propagation
6 models, as further provided in subsection
7 (b)(3); and

8 “(C) improve the usefulness of the cov-
9 erage maps.

10 “(b) CONTENT OF RULES.—

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

13 “(A) DATASET.—

14 “(i) IN GENERAL.—The Commission
15 shall create a common dataset of all loca-
16 tions in the United States where fixed
17 broadband internet access service can be
18 installed, as determined by the Commis-
19 sion.

20 “(ii) CONTRACTING.—

21 “(I) IN GENERAL.—Subject to
22 subclauses (II) and (III), the Commis-
23 sion may contract with an entity with
24 expertise with respect to geographic
25 information systems (referred to in

1 this subsection as ‘GIS’) to create and
2 maintain the dataset under clause (i).

3 “(II) APPLICATION OF THE FED-
4 ERAL ACQUISITION REGULATION.—A
5 contract into which the Commission
6 enters under subclause (I) shall in all
7 respects comply with applicable provi-
8 sions of the Federal Acquisition Regu-
9 lation.

10 “(III) LIMITATIONS.—With re-
11 spect to a contract into which the
12 Commission enters under subclause
13 (I)—

14 “(aa) the entity with which
15 the Commission enters into the
16 contract shall be selected through
17 a competitive bid process that is
18 transparent and open; and

19 “(bb) the contract shall be
20 for a term of not longer than 5
21 years, after which the Commis-
22 sion may enter into a new con-
23 tract—

1 “(AA) with an entity,
2 and for the purposes, de-
3 scribed in clause (i); and

4 “(BB) that complies
5 with the requirements under
6 subclause (II) and this sub-
7 clause; and

8 “(cc) the contract shall—

9 “(AA) prohibit the enti-
10 ty described in item (aa)
11 from selling, leasing, or oth-
12 erwise disclosing for mone-
13 tary consideration any per-
14 sonally identifiable informa-
15 tion to any other entity
16 other than for purposes au-
17 thorized under this title; and

18 “(BB) require the enti-
19 ty described in item (aa) to
20 include in any contract with
21 any other entity a provision
22 that prohibits that other en-
23 tity from engaging in an ac-
24 tion that is prohibited under
25 subitem (AA).

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), and subject to subpara-
3 graph (B), the Commission shall establish a
4 user-friendly challenge process through which
5 consumers, State, local, and Tribal govern-
6 mental entities, and other entities or individuals
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 individual submitting a
22 challenge should provide to the Com-
23 mission 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 individuals 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 de-
15 scribed in subparagraph (A) to submit
16 a challenge under the challenge proc-
17 ess;

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 disseminated by the
11 Commission as challenges are resolved.

12 “(D) REPORT TO CONGRESS.—Not earlier
13 than 1 year, and not later than 18 months,
14 after the date on which the rules issued under
15 subsection (a)(1) take effect, the Commission
16 shall, after an opportunity for notice and com-
17 ment, submit to the Committee on Commerce,
18 Science, and Transportation of the Senate and
19 the Committee on Energy and Commerce of the
20 House of Representatives a report that—

21 “(i) evaluates the challenge process
22 described in subparagraph (A); and

23 “(ii) considers whether the Commis-
24 sion should commence an inquiry on the
25 need for other tools to help—

1 “(I) identify potential inaccura-
2 cies in the data relating to broadband
3 internet access service that providers
4 report; and

5 “(II) improve the accuracy of the
6 data described in subclause (I).

7 “(6) REFORM OF FORM 477 PROCESS.—

8 “(A) IN GENERAL.—Not later than 180
9 days after the date on which the rules issued
10 under subsection (a) take effect, the Commis-
11 sion shall—

12 “(i) reform the Form 477 broadband
13 deployment service availability collection
14 process of the Commission—

15 “(I) to achieve the purposes of
16 this title; and

17 “(II) in a manner that—

18 “(aa) enables the compari-
19 son of data and maps produced
20 before the implementation of this
21 title with data and coverage
22 maps produced after the imple-
23 mentation of this title; and

24 “(bb) maintains the public
25 availability of data relating to the

1 deployment of broadband internet
2 access service; and

3 “(ii) harmonize reporting require-
4 ments and procedures regarding the de-
5 ployment of broadband internet access
6 service that are in effect on the day before
7 the date on which the rules issued under
8 subsection (a)(1) take effect with those re-
9 quirements and procedures in those rules.

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

18 “(7) SHARING DATA WITH NTIA.—The Commis-
19 sion shall establish a process to make the data col-
20 lected under paragraph (2) available to the National
21 Telecommunications and Information Administra-
22 tion.

23 “(c) MAPS.—The Commission shall—

1 “(1) after consultation with the Federal Geo-
2 graphic Data Committee established under section
3 753(a) of the Geospatial Data Act of 2018, create—

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

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

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

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

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

1 “(2) after creating the maps under paragraph
2 (1), use such maps—

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 intended for
10 use by residential and mobile customers;

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

15 “(4) consult with—

16 “(A) the Secretary of Agriculture to enable
17 the Secretary of Agriculture to consult the
18 maps created under paragraph (1) when consid-
19 ering the awarding of funds for the deployment
20 of broadband internet access service under any
21 program administered by the Administrator of
22 the Rural Utilities Service; and

23 “(B) the National Telecommunications and
24 Information Administration to enable the Ad-
25 ministration to consult the maps created under

1 paragraph (1) when considering the awarding
2 of funds for the deployment of broadband inter-
3 net access service under any future program ad-
4 ministered by the Administration;

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

8 “(6) make public at an appropriate level of
9 granularity—

10 “(A) the maps created under paragraph
11 (1); and

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

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

22 **“SEC. 803. ENFORCEMENT.**

23 “It shall be unlawful for an entity or individual to
24 willfully and knowingly, or recklessly, submit information
25 or data under this title that is materially inaccurate or

1 incomplete with respect to the availability of broadband
2 internet access service or the quality of service with re-
3 spect to broadband internet access service.

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

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

9 “(b) CROWDSOURCING.—

10 “(1) IN GENERAL.—The Commission shall de-
11 velop a process through which entities or individuals
12 in the United States may submit specific informa-
13 tion about the deployment and availability of
14 broadband internet access service in the United
15 States on an ongoing basis so that the information
16 may be used to verify and supplement information
17 provided by providers of broadband internet access
18 service for inclusion in the maps created under sec-
19 tion 802(c)(1).

20 “(2) COLLABORATION.—As part of the efforts
21 of the Commission to facilitate the ability of entities
22 and individuals to submit information under para-
23 graph (1), the Commission shall—

24 “(A) prioritize the consideration of data
25 provided by data collection applications used by

1 consumers that the Commission has deter-
2 mined—

3 “(i) are highly reliable; and

4 “(ii) have proven methodologies for
5 determining network coverage and network
6 performance;

7 “(B) not later than 1 year after the date
8 of enactment of this title, conclude a process
9 that tests the feasibility of partnering with Fed-
10 eral agencies that operate delivery fleet vehicles,
11 including the United States Postal Service, to
12 facilitate the collection and submission of infor-
13 mation described in that paragraph; and

14 “(C) not later than 14 months after the
15 date of enactment of this title, publish on the
16 website of the Commission, and submit to the
17 Committee on Commerce, Science, and Trans-
18 portation of the Senate and the Committee on
19 Energy and Commerce of the House of Rep-
20 resentatives, a report regarding the testing de-
21 scribed in subparagraph (B), which shall in-
22 clude—

23 “(i) a determination regarding wheth-
24 er the partnerships with Federal agencies
25 described in that subparagraph are able to

1 facilitate the collection and submission of
2 information described in paragraph (1);
3 and

4 “(ii) any steps that the Commission
5 plans to take to facilitate the partnerships
6 described in that subparagraph.

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

8 “(1) IN GENERAL.—Subject to paragraph (2),
9 the Commission shall hold workshops for Tribal
10 Governments in each of the 12 Bureau of Indian Af-
11 fairs regions to provide technical assistance with the
12 collection and submission of data under section
13 802(a)(2).

14 “(2) ANNUAL REVIEW.—Each year, the Com-
15 mission, in consultation with Indian Tribes, shall re-
16 view the need for continued workshops required
17 under paragraph (1).

18 “(d) TECHNICAL ASSISTANCE TO SMALL SERVICE
19 PROVIDERS.—The Commission shall establish a process
20 through which a provider that has fewer than 100,000 ac-
21 tive broadband internet access service connections may re-
22 quest and receive assistance from the Commission with re-
23 spect to geographic information system data processing to
24 ensure that the provider is able to comply with the require-

1 ments under section 802(b) in a timely and accurate man-
2 ner.

3 “(e) TECHNICAL ASSISTANCE TO STATE, LOCAL,
4 AND TRIBAL GOVERNMENTS AND CONSUMERS.—The
5 Commission shall provide technical assistance to con-
6 sumers and State, local, and Tribal governmental entities
7 with respect to the challenge process established under
8 section 802(b)(5), which shall include—

9 “(1) detailed tutorials and webinars; and

10 “(2) the provision of staff of the Commission to
11 provide assistance, as needed, throughout the en-
12 tirety of the challenge process.

13 “(f) GAO ASSESSMENT OF FABRIC SOURCE DATA.—

14 “(1) IN GENERAL.—The Comptroller General of
15 the United States shall conduct an assessment of
16 key data sources that are used for purposes of the
17 Fabric to identify and geocode locations where fixed
18 broadband internet access service can be installed in
19 order for the Comptroller General to develop rec-
20 ommendations for how the quality and completeness
21 of those data sources can be improved as data
22 sources for the Fabric.

23 “(2) SOURCES INCLUDED.—For the purposes of
24 the assessment conducted under paragraph (1), the

1 key data sources described in that paragraph shall
2 include—

3 “(A) any relevant sources of Federal data,
4 including the National Address Database ad-
5 ministered by the Department of Transpor-
6 tation;

7 “(B) State- and county-level digitized par-
8 cel data; and

9 “(C) property tax attribute recording.

10 “(3) REPORT.—Not later than 1 year after the
11 date of enactment of this title, the Comptroller Gen-
12 eral of the United States shall submit to the Com-
13 mittee on Commerce, Science, and Transportation of
14 the Senate and the Committee on Energy and Com-
15 merce of the House of Representatives a report that
16 contains the recommendations developed under para-
17 graph (1).

18 **“SEC. 805. COST.**

19 “(a) USF.—The Commission may not use funds
20 from the universal service programs of the Commission es-
21 tablished under section 254, and the regulations issued
22 under that section, to pay for any costs associated with
23 this title.

24 “(b) OTHER FUNDS.—The Commission may recover
25 costs associated with this title under section 9 to the ex-

1 tent provided for in an appropriation Act, as required
2 under subsection (a) of that section.

3 **“SEC. 806. OTHER PROVISIONS.**

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

8 “(b) PRA.—Subchapter I of chapter 35 of title 44,
9 United States Code (commonly known as the ‘Paperwork
10 Reduction Act’) shall not apply to the initial rule making
11 required 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 section
15 802(a)(2)(B), section 802(b)(1)(A)(ii), and subsections
16 (c), (d), and (e) of section 804, the Commission—

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.

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

