

113TH CONGRESS  
1ST SESSION

# H. R. 2844

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## AN ACT

To amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens.

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 “Federal Communica-  
3 tions Commission Consolidated Reporting Act of 2013”.

4 **SEC. 2. COMMUNICATIONS MARKETPLACE REPORT.**

5 Title I of the Communications Act of 1934 (47  
6 U.S.C. 151 et seq.) is amended by adding at the end the  
7 following:

8 **“SEC. 14. COMMUNICATIONS MARKETPLACE REPORT.**

9 “(a) IN GENERAL.—In the last quarter of every even-  
10 numbered year, the Commission shall publish on its  
11 website and submit to the Committee on Energy and Com-  
12 merce of the House of Representatives and the Committee  
13 on Commerce, Science, and Transportation of the Senate  
14 a report on the state of the communications marketplace.

15 “(b) CONTENTS.—Each report required by sub-  
16 section (a) shall—

17 “(1) assess the state of competition in the com-  
18 munications marketplace, including competition to  
19 deliver voice, video, audio, and data services among  
20 providers of telecommunications, providers of com-  
21 mercial mobile service (as defined in section 332),  
22 multichannel video programming distributors (as de-  
23 fined in section 602), broadcast stations, providers  
24 of satellite communications, Internet service pro-  
25 viders, and other providers of communications serv-  
26 ices;

1           “(2) assess the state of deployment of commu-  
2           nications capabilities, including advanced tele-  
3           communications capability (as defined in section 706  
4           of the Telecommunications Act of 1996 (47 U.S.C.  
5           1302)), regardless of the technology used for such  
6           deployment, including whether advanced tele-  
7           communications capability is being deployed to all  
8           Americans in a reasonable and timely fashion;

9           “(3) assess whether laws, regulations, or regu-  
10          latory practices (whether those of the Federal Gov-  
11          ernment, States, political subdivisions of States, In-  
12          dian tribes or tribal organizations (as such terms are  
13          defined in section 4 of the Indian Self-Determination  
14          and Education Assistance Act (25 U.S.C. 450b)), or  
15          foreign governments) pose a barrier to competitive  
16          entry into the communications marketplace or to the  
17          competitive expansion of existing providers of com-  
18          munications services;

19          “(4) describe the agenda of the Commission for  
20          the next 2-year period for addressing the challenges  
21          and opportunities in the communications market-  
22          place that were identified through the assessments  
23          under paragraphs (1) through (3); and

24          “(5) describe the actions that the Commission  
25          has taken in pursuit of the agenda described pursu-

1 ant to paragraph (4) in the previous report sub-  
2 mitted under this section.

3 “(c) EXTENSION.—If the President designates a  
4 Commissioner as Chairman of the Commission during the  
5 last quarter of an even-numbered year, the portion of the  
6 report required by subsection (b)(4) may be published on  
7 the website of the Commission and submitted to the Com-  
8 mittee on Energy and Commerce of the House of Rep-  
9 resentatives and the Committee on Commerce, Science,  
10 and Transportation of the Senate as an addendum during  
11 the first quarter of the following odd-numbered year.

12 “(d) SPECIAL REQUIREMENTS.—

13 “(1) ASSESSING COMPETITION.—In assessing  
14 the state of competition under subsection (b)(1), the  
15 Commission shall consider all forms of competition,  
16 including the effect of intermodal competition, facili-  
17 ties-based competition, and competition from new  
18 and emergent communications services, including the  
19 provision of content and communications using the  
20 Internet.

21 “(2) ASSESSING DEPLOYMENT.—In assessing  
22 the state of deployment under subsection (b)(2), the  
23 Commission shall compile a list of geographical  
24 areas that are not served by any provider of ad-  
25 vanced telecommunications capability.

1           “(3) INTERNATIONAL COMPARISONS AND DEMO-  
2           GRAPHIC INFORMATION.—The Commission may use  
3           readily available data to draw appropriate compari-  
4           sons between the United States communications  
5           marketplace and the international communications  
6           marketplace and to correlate its assessments with  
7           demographic information.

8           “(4) CONSIDERING SMALL BUSINESSES.—In as-  
9           sessing the state of competition under subsection  
10          (b)(1) and regulatory barriers under subsection  
11          (b)(3), the Commission shall consider market entry  
12          barriers for entrepreneurs and other small busi-  
13          nesses in the communications marketplace in accord-  
14          ance with the national policy under section 257(b).”.

15 **SEC. 3. CONSOLIDATION OF REDUNDANT REPORTS; CON-**  
16 **FORMING AMENDMENTS.**

17          (a) ORBIT ACT REPORT.—Section 646 of the Com-  
18          munications Satellite Act of 1962 (47 U.S.C. 765e; 114  
19          Stat. 57) is repealed.

20          (b) SATELLITE COMPETITION REPORT.—Section 4 of  
21          Public Law 109–34 (47 U.S.C. 703) is repealed.

22          (c) INTERNATIONAL BROADBAND DATA REPORT.—  
23          Section 103 of the Broadband Data Improvement Act (47  
24          U.S.C. 1303) is amended—

25                  (1) by striking subsection (b); and

1           (2) by redesignating subsections (e) through (e)  
2           as subsections (b) through (d), respectively.

3           (d) STATUS OF COMPETITION IN THE MARKET FOR  
4 THE DELIVERY OF VIDEO PROGRAMMING REPORT.—Sec-  
5 tion 628 of the Communications Act of 1934 (47 U.S.C.  
6 548) is amended—

7           (1) by striking subsection (g);

8           (2) by redesignating subsection (j) as sub-  
9           section (g); and

10          (3) by transferring subsection (g) (as redesign-  
11          ated) so that it appears after subsection (f).

12          (e) REPORT ON CABLE INDUSTRY PRICES.—

13          (1) IN GENERAL.—Section 623 of the Commu-  
14          nications Act of 1934 (47 U.S.C. 543) is amended—

15               (A) by striking subsection (k); and

16               (B) by redesignating subsections (l)  
17               through (n) as subsections (k) through (m), re-  
18               spectively.

19          (2) CONFORMING AMENDMENT.—Section  
20          613(a)(3) of the Communications Act of 1934 (47  
21          U.S.C. 533(a)(3)) is amended by striking “623(l)”  
22          and inserting “623(k)”.

23          (f) TRIENNIAL REPORT IDENTIFYING AND ELIMI-  
24          NATING MARKET ENTRY BARRIERS FOR ENTRE-  
25          PRENEURS AND OTHER SMALL BUSINESSES.—Section

1 257 of the Communications Act of 1934 (47 U.S.C. 257)  
2 is amended by striking subsection (c).

3 (g) SECTION 706 REPORT.—Section 706 of the Tele-  
4 communications Act of 1996 (47 U.S.C. 1302) is amend-  
5 ed—

6 (1) in subsection (b)—

7 (A) in the last sentence, by striking “If the  
8 Commission’s determination is negative, it” and  
9 inserting “If the Commission determines in its  
10 report under section 14 of the Communications  
11 Act of 1934 that advanced telecommunications  
12 capability is not being deployed to all Ameri-  
13 cans in a reasonable and timely fashion, the  
14 Commission”; and

15 (B) by striking the first and second sen-  
16 tences;

17 (2) by striking subsection (c);

18 (3) in subsection (d), by striking “this sub-  
19 section” and inserting “this section”; and

20 (4) by redesignating subsection (d) as sub-  
21 section (c).

22 (h) STATE OF COMPETITIVE MARKET CONDITIONS  
23 WITH RESPECT TO COMMERCIAL MOBILE RADIO SERV-  
24 ICES.—Section 332(c)(1)(C) of the Communications Act

1 of 1934 (47 U.S.C. 332(c)(1)(C)) is amended by striking  
2 the first and second sentences.

3 (i) PREVIOUSLY ELIMINATED ANNUAL REPORT.—

4 (1) IN GENERAL.—Section 4 of the Commu-  
5 nications Act of 1934 (47 U.S.C. 154) is amended—

6 (A) by striking subsection (k); and

7 (B) by redesignating subsections (l)  
8 through (o) as subsections (k) through (n), re-  
9 spectively.

10 (2) CONFORMING AMENDMENTS.—The Commu-  
11 nications Act of 1934 is amended—

12 (A) in section 9(i), by striking “In the  
13 Commission’s annual report, the Commission  
14 shall prepare an analysis of its progress in de-  
15 veloping such systems and” and inserting “The  
16 Commission”; and

17 (B) in section 309(j)(8)(B), by striking the  
18 last sentence.

19 (j) ADDITIONAL OUTDATED REPORTS.—The Com-  
20 munications Act of 1934 is further amended—

21 (1) in section 4—

22 (A) in subsection (b)(2)(B)(ii), by striking  
23 “and shall furnish notice of such action” and  
24 all that follows through “subject of the waiver”;  
25 and



1 (B) in subsection (g), by striking para-  
2 graph (2);

3 (2) in section 215—

4 (A) by striking subsection (b); and

5 (B) by redesignating subsection (c) as sub-  
6 section (b);

7 (3) in section 227(e), by striking paragraph (4);

8 (4) in section 309(j)—

9 (A) by striking paragraph (12); and

10 (B) in paragraph (15)(C), by striking  
11 clause (iv);

12 (5) in section 331(b), by striking the last sen-  
13 tence;

14 (6) in section 336(e), by amending paragraph  
15 (4) to read as follows:

16 “(4) REPORT.—The Commission shall annually  
17 advise the Congress on the amounts collected pursu-  
18 ant to the program required by this subsection.”;

19 (7) in section 339(c), by striking paragraph (1);

20 (8) in section 396—

21 (A) by striking subsection (i);

22 (B) in subsection (k)—

23 (i) in paragraph (1), by striking sub-  
24 paragraph (F); and

1 (ii) in paragraph (3)(B)(iii), by strik-  
2 ing subclause (V);

3 (C) in subsection (l)(1)(B), by striking  
4 “shall be included” and all that follows through  
5 “The audit report”; and

6 (D) by striking subsection (m);

7 (9) in section 398(b)(4), by striking the third  
8 sentence;

9 (10) in section 624A(b)(1)—

10 (A) by striking “REPORT; REGULATIONS”  
11 and inserting “REGULATIONS”;

12 (B) by striking “Within 1 year after” and  
13 all that follows through “on means of assuring”  
14 and inserting “The Commission shall issue such  
15 regulations as are necessary to assure”; and

16 (C) by striking “Within 180 days after”  
17 and all that follows through “to assure such  
18 compatibility.”; and

19 (11) in section 713, by striking subsection (a).

20 **SEC. 4. EFFECT ON AUTHORITY.**

21 Nothing in this Act or the amendments made by this  
22 Act shall be construed to expand or contract the authority  
23 of the Federal Communications Commission.

1 **SEC. 5. OTHER REPORTS.**

2       Nothing in this Act or the amendments made by this  
3 Act shall be construed to prohibit or otherwise prevent the  
4 Federal Communications Commission from producing any  
5 additional reports otherwise within the authority of the  
6 Commission.

      Passed the House of Representatives September 9,  
2013.

Attest:

*Clerk.*

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