

DATA MAPPING TO SAVE MOMS' LIVES ACT

MARCH 31, 2022.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. PALLONE, from the Committee on Energy and Commerce, submitted the following

R E P O R T

[To accompany H.R. 1218]

[Including cost estimate of the Congressional Budget Office]

The Committee on Energy and Commerce, to whom was referred the bill (H.R. 1218) to require the Federal Communications Commission to incorporate data on maternal health outcomes into its broadband health maps, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Data Mapping to Save Moms’ Lives Act”.

**SEC. 2. MAPPING BROADBAND CONNECTIVITY AND MATERNAL HEALTH OUTCOMES.**

(a) **INCORPORATION OF MATERNAL MORTALITY AND SEVERE MATERNAL MORBIDITY DATA.**—Not later than 180 days after the date of the enactment of this Act, the Federal Communications Commission shall incorporate publicly available data on maternal mortality and severe maternal morbidity, including for not less than 1 year postpartum, into the Mapping Broadband Health in America platform of the Commission.

(b) **CONSULTATION WITH CDC.**—The Federal Communications Commission shall consult with the Director of the Centers for Disease Control and Prevention regarding the maternal mortality and severe maternal morbidity data that should be incorporated under subsection (a).

**I. PURPOSE AND SUMMARY**

H.R. 1218 requires the Federal Communications Commission (FCC) to, within 180 days, incorporate publicly available information on maternal mortality and severe maternal morbidity into the FCC’s Mapping Broadband Health in America (MBHA) platform, to identify areas where a lack of communications connectivity may be a barrier to positive maternal health outcomes. The bill requires the FCC to consult with the Centers for Disease Control and Prevention regarding the data the FCC should incorporate into the MBHA platform.

**II. BACKGROUND AND NEED FOR LEGISLATION**

The maternal mortality rate in the United States continues to rise each year, with over 700 deaths of women as recently as 2019.<sup>1</sup> The issue is particularly acute for Black women, as the rate of mortality for Black women is 2.5 times higher than that of white women, and 3.5 times higher than that of Hispanic women.<sup>2</sup> While no causal link between broadband access and maternal mortality has been proven, understanding where broadband is available may inform the discussion on how to lower maternal mortality rates.

The MBHA platform was created as an outgrowth of the FCC’s Connect2HealthFCC Task Force.<sup>3</sup> It is intended to “enable data-driven decision making at the intersection of broadband and health.”<sup>4</sup> The maps are available to the public as well as private stakeholders and may be used to help direct resources to areas with “overlapping broadband and health needs.”<sup>5</sup>

**III. COMMITTEE HEARINGS**

For the purposes of clause 3(c) of rule XIII of the Rules of the House of Representatives, the following hearings were used to develop or consider H.R. 1218:

The Subcommittee on Communications and Technology of the Committee on Energy and Commerce held a hearing on October 6, 2021, entitled “Strengthening Our Communications Networks to Meet the Needs of Consumers.” The Subcommittee received testimony from the following witnesses:

<sup>1</sup>National Center for Health Statistics, *Maternal Mortality Rates in the United States, 2019*, (Apr. 2021) ([www.cdc.gov/nchs/data/hestat/maternal-mortality-2021/E-Stat-Maternal-Mortality-Rates-H.pdf](http://www.cdc.gov/nchs/data/hestat/maternal-mortality-2021/E-Stat-Maternal-Mortality-Rates-H.pdf)).

<sup>2</sup>*Id.*

<sup>3</sup>Federal Communications Commission, *Mapping Broadband Health in America, Frequently Asked Questions* ([www.fcc.gov/health/maps/faq](http://www.fcc.gov/health/maps/faq)) (accessed March 2, 2022).

<sup>4</sup>*Id.*

<sup>5</sup>*Id.*

- John Fogle, Council Member, City of Loveland Colorado, National League of Cities Information Technology and Communications Committee;
- Cheryl A. Leanza, Policy Advisor, United Church of Christ, Office of Communications, Inc.;
- Tim Donovan, Senior Vice President, Legislative Affairs, Competitive Carriers Association; and
- Todd Brandenburg, President and Chief Executive Officer, PocketiNet.

#### IV. COMMITTEE CONSIDERATION

Representatives G.K. Butterfield (D–NC), Gus Bilirakis (R–FL) and Lisa Blunt Rochester (D–DE) introduced H.R. 1218, the “Data Mapping to Save Moms’ Lives Act,” on February 23, 2021, and it was referred to the Committee on Energy and Commerce. Subsequently, on February 24, 2021, H.R. 1218 was referred to the Subcommittee on Communications and Technology. A legislative hearing was held on the bill on October 6, 2021.

On November 3, 2021, the Subcommittee on Communications and Technology met in open markup session, pursuant to notice, to consider H.R. 1218 and one other bill. During consideration of the bill, an amendment in the nature of a substitute (AINS) offered by Representative Butterfield was agreed to by a voice vote. Upon conclusion of consideration of the bill, the Subcommittee on Communications and Technology agreed to report the bill favorably to the full Committee, amended, by a voice vote.

On November 17, 2021, the full Committee met in open markup session, pursuant to notice, to consider H.R. 1218 and 11 other bills. No amendments were offered during consideration of the bill. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone (D–NJ), Chairman of the Committee, to order H.R. 1218 reported favorably to the House, as amended, by a voice vote.

#### V. COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list each record vote on the motion to report legislation and amendments thereto. The Committee advises that there were no record votes taken on H.R. 1218.

#### VI. OVERSIGHT FINDINGS

Pursuant to clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the oversight findings and recommendations of the Committee are reflected in the descriptive portion of the report.

#### VII. NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

Pursuant to 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the estimate of new budget authority, entitlement authority, or tax expenditures or revenues contained in the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

## VIII. CONGRESSIONAL BUDGET OFFICE ESTIMATE

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, March 4, 2022.

Hon. FRANK PALLONE, Jr.,  
Chairman, Committee on Energy and Commerce,  
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1218, the Data Mapping to Save Moms' Lives Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is David Hughes.

Sincerely,

PHILLIP L. SWAGEL,  
Director.

Enclosure.

<b>H.R. 1218, Data Mapping to Save Moms' Lives Act</b>			
As ordered reported by the House Committee on Energy and Commerce on November 17, 2021			
By Fiscal Year, Millions of Dollars	2022	2022-2026	2022-2031
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	*	not estimated
Statutory pay-as-you-go procedures apply?	No	<b>Mandate Effects</b>	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2032?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	Yes, Under Threshold
* = between zero and \$500,000.			

H.R. 1218 would require the Federal Communications Commission (FCC) to incorporate data on maternal health outcomes into its Mapping Broadband Health in America platform.

Using information about the cost of broadband mapping, CBO estimates that it would cost the FCC less than \$500,000 to update its broadband health maps to incorporate maternal health outcomes. However, because the FCC is authorized to collect fees each year sufficient to offset the appropriated costs of its regulatory activities, CBO estimates that the net cost to the FCC would be negligible, assuming appropriation actions consistent with that authority.

If the FCC increases annual fee collections to offset the costs of implementing provisions in the bill, H.R. 1218 would increase the cost of an existing private-sector mandate on entities required to pay those fees. CBO estimates that the incremental cost of the mandate would be small and would fall well below the annual threshold established in the Unfunded Mandates Reform Act (UMRA) for private-sector mandates (\$170 million in 2021, adjusted annually for inflation).

The bill contains no intergovernmental mandates.

On June 14, 2021, CBO transmitted a cost estimate for S. 198, the Data Mapping to Save Moms' Lives Act, as ordered reported by the Senate Committee on Commerce, Science, and Transportation on April 28, 2021. H.R. 1218 is similar to S. 198, and CBO estimates implementing either bill would cost less than \$500,000.

The CBO staff contacts for this estimate are David Hughes (for federal costs) and Rachel Austin (for mandates). The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

#### IX. FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

#### X. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to require the FCC to incorporate existing data on maternal health outcomes into its broadband health maps which may inform ways to decrease maternal mortality and severe morbidity outcomes, particularly for vulnerable populations.

#### XI. DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII, no provision of H.R. 1218 is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111-139 or the most recent Catalog of Federal Domestic Assistance.

#### XII. COMMITTEE COST ESTIMATE

Pursuant to clause 3(d)(1) of rule XIII, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

#### XIII. EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9(e), 9(f), and 9(g) of rule XXI, the Committee finds that H.R. 1218 contains no earmarks, limited tax benefits, or limited tariff benefits.

#### XIV. ADVISORY COMMITTEE STATEMENT

No advisory committee within the meaning of section 5(b) of the Federal Advisory Committee Act was created by this legislation.

#### XV. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

## XVI. SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

*Section 1. Short title*

Section 1 designates that the short title may be cited as the “Data Mapping to Save Moms’ Lives Act.”

*Sec. 2. Mapping broadband connectivity and maternal health outcomes*

Section 2 requires the FCC to incorporate publicly available data regarding maternal mortality and severe maternal morbidity for not less than one year postpartum, into the Agency’s Mapping Broadband Health in America platform. The section also requires the FCC to consult with the Centers for Disease Control and Prevention regarding the maternal mortality and severe maternal morbidity data the FCC should use.

## XVII. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

There were no changes made in existing law by H.R. 1218, as reported.