

113TH CONGRESS
1ST SESSION

H. R. 2844

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 10, 2013

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

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:

KAREN L. HAAS,
Clerk.