

## Calendar No. 637

114TH CONGRESS  
2D SESSION**S. 2644****[Report No. 114–355]**

To reauthorize the Federal Communications Commission for fiscal years 2017 and 2018, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 7, 2016

Mr. THUNE (for himself and Mr. NELSON) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

SEPTEMBER 20, 2016

Reported by Mr. THUNE, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

**A BILL**

To reauthorize the Federal Communications Commission for fiscal years 2017 and 2018, 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,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “FCC Reauthorization  
5       Act of 2016”.

1 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

2       (a) ~~IN GENERAL.~~—Section 6 of the Communications  
3 Act of 1934 (47 U.S.C. 156) is amended to read as fol-  
4 lows:

5 **“SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

6       “(a) ~~IN GENERAL.~~—There are authorized to be ap-  
7 propriated for the administration of this Act by the Com-  
8 mission, other than the activities described in subsection  
9 (b), \$361,116,000 for fiscal year 2017 and \$348,711,000  
10 for fiscal year 2018, together with such sums as may be  
11 necessary for increases resulting from adjustments in sal-  
12 ary, pay, retirement, other employee benefits required by  
13 law, and other nondiscretionary costs, for each such fiscal  
14 year.

15       “(b) ~~OFFICE OF INSPECTOR GENERAL.~~—Of the  
16 amounts appropriated under subsection (a), not less than  
17 \$11,751,000 for fiscal year 2017 and not less than  
18 \$11,904,000 for fiscal year 2018 shall be for salaries and  
19 expenses of the Office of Inspector General of the Commis-  
20 sion.

21       “(c) ~~NEW OR RECONFIGURED FACILITY.~~—Of the  
22 amounts appropriated under subsection (a) for fiscal year  
23 2017, such sums as may be necessary not to exceed  
24 \$16,867,000 shall remain available until expended for nec-  
25 essary expenses of the Commission associated with moving

1 to a new facility or reconfiguring the existing facility to  
 2 significantly reduce space consumption.

3 “(d) OFFSETTING COLLECTIONS.—Of the sum ap-  
 4 propriated in any fiscal year under this section, a portion,  
 5 in an amount determined under section 9(b), shall be de-  
 6 rived from fees authorized by section 9.”

7 (b) RETENTION OF REVENUES.—Section  
 8 309(j)(8)(B) of the Communications Act of 1934 (47  
 9 U.S.C. 309(j)(8)(B)) is amended to read as follows:

10 “(B) RETENTION OF REVENUES.—

11 “(i) IN GENERAL.—Notwithstanding  
 12 subparagraph (A) and subject to clause (ii)  
 13 of this subparagraph, the salaries and ex-  
 14 penses account of the Commission shall re-  
 15 tain as an offsetting collection such sums  
 16 as may be necessary from such proceeds  
 17 for the costs of developing and imple-  
 18 menting the program required by this sub-  
 19 section. Such offsetting collections shall be  
 20 available for obligation subject to the terms  
 21 and conditions of the receiving appropria-  
 22 tions account, and shall be deposited in  
 23 such accounts on a quarterly basis. Such  
 24 offsetting collections are authorized to re-  
 25 main available until expended. No sums

may be retained under this subparagraph during any fiscal year beginning after September 30, 1998, if the annual report of the Commission under section 4(k) for the second preceding fiscal year fails to include in the itemized statement required by paragraph (3) of such section a statement of each expenditure made for purposes of conducting competitive bidding under this subsection during such second preceding fiscal year.

“(ii) CAP.—Proceeds from the use of a competitive bidding system under this subsection that may be retained and made available for obligation under clause (i) shall not exceed \$124,000,000 for fiscal year 2017 and \$110,750,000 for fiscal year 2018.”.

**SEC. 3. TERMS OF OFFICE AND VACANCIES.**

Section 4(e) of the Communications Act of 1934 (47 U.S.C. 154(e)) is amended to read as follows:

“(e)(1) A commissioner—

“(A) shall be appointed for a term of 5 years;

“(B) except as provided in subparagraph (C);

may continue to serve after the expiration of the

1 fixed term of office of the commissioner until a suc-  
2 cessor is appointed and has been confirmed and  
3 taken the oath of office; and

4 “(C) may not continue to serve after the expira-  
5 tion of the session of Congress that begins after the  
6 expiration of the fixed term of office of the commis-  
7 sioner.

8 “(2) Any person chosen to fill a vacancy in the Com-  
9 mission—

10 “(A) shall be appointed for the unexpired term  
11 of the commissioner that the person succeeds;

12 “(B) except as provided in subparagraph (C),  
13 may continue to serve after the expiration of the  
14 fixed term of office of the commissioner that the  
15 person succeeds until a successor is appointed and  
16 has been confirmed and taken the oath of office; and

17 “(C) may not continue to serve after the expira-  
18 tion of the session of Congress that begins after the  
19 expiration of the fixed term of office of the commis-  
20 sioner that the person succeeds.

21 “(3) No vacancy in the Commission shall impair the  
22 right of the remaining commissioners to exercise all the  
23 powers of the Commission.”.

1 **SEC. 4. SUBMISSION OF COPY OF CERTAIN DOCUMENTS TO**  
 2 **CONGRESS.**

3 Section 4 of the Communications Act of 1934 (47  
 4 U.S.C. 154) is amended by adding at the end the fol-  
 5 lowing:

6 “(p) BUDGET ESTIMATES AND REQUESTS; LEGISLA-  
 7 TIVE RECOMMENDATIONS, TESTIMONY, AND COMMENTS  
 8 ON LEGISLATION.—

9 “(1) BUDGET ESTIMATES AND REQUESTS.—If  
 10 the Commission submits any budget estimate or re-  
 11 quest to the President or the Office of Management  
 12 and Budget, the Commission shall concurrently  
 13 transmit a copy of that estimate or request to Con-  
 14 gress.

15 “(2) LEGISLATIVE RECOMMENDATIONS, TESTI-  
 16 MONY, AND COMMENTS ON LEGISLATION.—

17 “(A) IN GENERAL.—If the Commission  
 18 submits any legislative recommendations, testi-  
 19 mony, or comments on legislation to the Presi-  
 20 dent or the Office of Management and Budget,  
 21 the Commission shall concurrently transmit a  
 22 copy thereof to Congress.

23 “(B) PROHIBITION.—No officer or agency  
 24 of the United States may require the Commis-  
 25 sion to submit legislative recommendations, tes-  
 26 timony, or comments on legislation to any offi-

cer or agency of the United States for approval;  
 comments; or review prior to the submission of  
 the recommendations, testimony, or comments  
 to Congress.”.

**SEC. 5. GAO REPORT ON FCC REGULATORY FEE STRUCTURE.**

(a) IN GENERAL.—Not later than 180 days after the  
 date of enactment of this Act, the Comptroller General  
 of the United States shall submit to the Committee on  
 Commerce, Science, and Transportation of the Senate and  
 the Committee on Energy and Commerce of the House  
 of Representatives a report on the current regulatory fee  
 assessments and adjustment process of the Federal Com-  
 munications Commission.

(b) CONTENTS.—The Comptroller General shall in-  
 clude in the report submitted under subsection (a)—

(1) a determination as to whether the current  
 regulatory fee structure correlates to the actual  
 workload of the Federal Communications Commis-  
 sion;

(2) a determination as to whether the current  
 regulatory fees are reasonably related to the benefits  
 provided to the payor of the fees;

1           ~~(3) a determination as to whether the current~~  
 2           ~~regulatory fee structure has a disparate impact on~~  
 3           ~~certain payors or technologies; and~~

4           ~~(4) recommendations as to how the current reg-~~  
 5           ~~ulatory fee structure should be adjusted.~~

6   **SEC. 6. APPLICATION OF ANTIDEFICIENCY ACT TO UNI-**  
 7           **VERSAL SERVICE PROGRAM.**

8           Section 302 of the Universal Service Antideficiency  
 9   Temporary Suspension Act (title III of Public Law 108–  
 10   494; 118 Stat. 3998) is amended by striking “December  
 11   31, 2017”, each place it appears and inserting “Sep-  
 12   tember 30, 2018”.

13   **SEC. 7. DEPOSITS FOR SPECTRUM AUCTIONS.**

14           Section 309(j)(8)(C) of the Communications Act of  
 15   1934 (47 U.S.C. 309(j)(8)(C)) is amended to read as fol-  
 16   lows:

17                   “(C) DEPOSITS.—Any deposits the Com-  
 18                   mission may require for the qualification of any  
 19                   person to bid in a system of competitive bidding  
 20                   pursuant to this subsection shall be deposited in  
 21                   the Treasury. Within 45 days following the con-  
 22                   clusion of the competitive bidding—

23                           “(i) the deposits of successful bidders  
 24                           shall be credited to the deposit fund of the  
 25                           Treasury, except as otherwise provided in

1                   subparagraphs (D)(ii), (E)(ii), (F), and  
 2                   (G); and  
 3                   “(ii) the deposits of unsuccessful bid-  
 4                   ders shall be returned to such bidders.”.

5   **SEC. 8. JOINT BOARD RECOMMENDATION.**

6           The Federal Communications Commission may not  
 7   modify, amend, or change its rules or regulations for uni-  
 8   versal service support payments to implement the Feb-  
 9   ruary 27, 2004, recommendations of the Federal-State  
 10   Joint Board on Universal Service regarding single connec-  
 11   tion or primary line restrictions on universal service sup-  
 12   port payments.

13   **SECTION 1. SHORT TITLE.**

14           *This Act may be cited as the “FCC Reauthorization*  
 15   *Act of 2016”.*

16   **SEC. 2. TABLE OF CONTENTS.**

17           *The table of contents for this Act is as follows:*

- Sec. 1. Short title.*
- Sec. 2. Table of contents.*
- Sec. 3. Definitions.*
- Sec. 4. Authorization of appropriations.*
- Sec. 5. Terms of office and vacancies.*
- Sec. 6. Submission of copy of certain documents to Congress.*
- Sec. 7. GAO report on FCC regulatory fee structure.*
- Sec. 8. Application of Antideficiency Act to universal service program.*
- Sec. 9. Deposits for spectrum auctions.*
- Sec. 10. Joint board recommendation.*
- Sec. 11. Spoofing prevention.*
- Sec. 12. Kari’s law.*
- Sec. 13. Rulemaking relating to cramming.*
- Sec. 14. Rulemaking relating to promoting broadband internet access service for veterans.*
- Sec. 15. Impact of universal service support on tribes.*
- Sec. 16. Chief Information Officer authority.*
- Sec. 17. Disclaimer for press releases regarding notices of apparent liability.*

- Sec. 18. Federal spectrum transparency and value.*  
*Sec. 19. Study and report on filing requirements under Universal Service Fund programs.*  
*Sec. 20. Feasibility study on mobile broadband coverage drive testing in rural areas.*  
*Sec. 21. Study on Internet Protocol transition.*  
*Sec. 22. Report on incentive auction repack.*  
*Sec. 23. Report on Universal Service Rural Health Care Program.*  
*Sec. 24. GAO report relating to the E-rate program.*  
*Sec. 25. GAO report.*  
*Sec. 26. Reports related to spectrum auctions.*  
*Sec. 27. FCC broadband data collection report.*

1 **SEC. 3. DEFINITIONS.**

2 *In this Act:*

3 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*  
 4 *TEES.—The term “appropriate congressional commit-*  
 5 *tees” means—*

6 (A) *the Committee on Commerce, Science,*  
 7 *and Transportation of the Senate; and*

8 (B) *the Committee on Energy and Com-*  
 9 *merce of the House of Representatives.*

10 (2) *COMMISSION.—The term “Commission”*  
 11 *means the Federal Communications Commission.*

12 (3) *VOICE SERVICE.—The term “voice service”—*

13 (A) *means any service that furnishes voice*  
 14 *communications to an end user using resources*  
 15 *from the North American Numbering Plan or*  
 16 *any successor to the North American Numbering*  
 17 *Plan adopted by the Commission under section*  
 18 *251(e)(1) of the Communications Act of 1934 (47*  
 19 *U.S.C. 251(e)(1)); and*

1                   (B) includes transmissions from a telephone  
 2                   facsimile machine, computer, or other device to  
 3                   a telephone facsimile machine, as that term is  
 4                   defined in section 227(a) of the Communications  
 5                   Act of 1934 (47 U.S.C. 227(a)).

6 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

7                   Section 6 of the Communications Act of 1934 (47  
 8                   U.S.C. 156) is amended to read as follows:

9 **“SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

10                  “(a) *IN GENERAL.*—There are authorized to be appro-  
 11                  priated for the administration of this Act by the Commis-  
 12                  sion, other than the activities described in subsection (b),  
 13                  \$361,116,000 for fiscal year 2017 and \$348,711,000 for fis-  
 14                  cal year 2018, together with such sums as may be necessary  
 15                  for increases resulting from adjustments in salary, pay, re-  
 16                  tirement, other employee benefits required by law, and other  
 17                  nondiscretionary costs, for each such fiscal year.

18                  “(b) *OFFICE OF INSPECTOR GENERAL.*—Of the  
 19                  amounts appropriated under subsection (a), not less than  
 20                  \$11,751,000 for fiscal year 2017 and not less than  
 21                  \$11,904,000 for fiscal year 2018 shall be for salaries and  
 22                  expenses of the Office of Inspector General of the Commis-  
 23                  sion.

24                  “(c) *NEW OR RECONFIGURED FACILITY.*—Of the  
 25                  amounts appropriated under subsection (a) for fiscal year

1 2017, such sums as may be necessary not to exceed  
 2 \$16,867,000 shall remain available until expended for nec-  
 3 essary expenses of the Commission associated with moving  
 4 to a new facility or reconfiguring the existing facility to  
 5 significantly reduce space consumption.

6 “(d) *OFFSETTING COLLECTIONS.*—Of the sum appro-  
 7 priated in any fiscal year under this section, a portion,  
 8 in an amount determined under section 9(b), shall be de-  
 9 rived from fees authorized by section 9.”.

10 **SEC. 5. TERMS OF OFFICE AND VACANCIES.**

11 Section 4(c) of the Communications Act of 1934 (47  
 12 U.S.C. 154(c)) is amended to read as follows:

13 “(c)(1) A commissioner—

14 “(A) shall be appointed for a term of 5 years;

15 “(B) except as provided in subparagraph (C),  
 16 may continue to serve after the expiration of the fixed  
 17 term of office of the commissioner until a successor is  
 18 appointed and has been confirmed and taken the oath  
 19 of office; and

20 “(C) may not continue to serve after the expira-  
 21 tion of the session of Congress that begins after the ex-  
 22 piration of the fixed term of office of the commis-  
 23 sioner.

24 “(2) Any person chosen to fill a vacancy in the Com-  
 25 mission—

1           “(A) shall be appointed for the unexpired term  
2           of the commissioner that the person succeeds;

3           “(B) except as provided in subparagraph (C),  
4           may continue to serve after the expiration of the fixed  
5           term of office of the commissioner that the person suc-  
6           ceeds until a successor is appointed and has been con-  
7           firmed and taken the oath of office; and

8           “(C) may not continue to serve after the expira-  
9           tion of the session of Congress that begins after the ex-  
10          piration of the fixed term of office of the commissioner  
11          that the person succeeds.

12          “(3) No vacancy in the Commission shall impair the  
13          right of the remaining commissioners to exercise all the  
14          powers of the Commission.”.

15   **SEC. 6. SUBMISSION OF COPY OF CERTAIN DOCUMENTS TO**  
16                           **CONGRESS.**

17          Section 4 of the Communications Act of 1934 (47  
18   U.S.C. 154) is amended by adding at the end the following:

19          “(p) *BUDGET ESTIMATES AND REQUESTS; LEGISLA-*  
20          *TIVE RECOMMENDATIONS, TESTIMONY, AND COMMENTS ON*  
21          *LEGISLATION; SEMIANNUAL REPORTS.—*

22               “(1) *BUDGET ESTIMATES AND REQUESTS.—If*  
23          *the Commission submits any budget estimate or re-*  
24          *quest to the President or the Office of Management*

1       *and Budget, the Commission shall concurrently trans-*  
 2       *mit a copy of that estimate or request to Congress.*

3               “(2) *LEGISLATIVE RECOMMENDATIONS, TESTI-*  
 4       *MONY, AND COMMENTS ON LEGISLATION.—*

5               “(A) *IN GENERAL.—If the Commission sub-*  
 6       *mits any legislative recommendations, testimony,*  
 7       *or comments on legislation to the President or*  
 8       *the Office of Management and Budget, the Com-*  
 9       *mission shall concurrently transmit a copy*  
 10       *thereof to Congress.*

11              “(B) *PROHIBITION.—No officer or agency of*  
 12       *the United States may require the Commission*  
 13       *to submit legislative recommendations, testi-*  
 14       *mony, or comments on legislation to any officer*  
 15       *or agency of the United States for approval,*  
 16       *comments, or review prior to the submission of*  
 17       *the recommendations, testimony, or comments to*  
 18       *Congress.*

19              “(3) *OFFICE OF INSPECTOR GENERAL SEMI-*  
 20       *ANNUAL REPORTS.—*

21              “(A) *IN GENERAL.—Notwithstanding sec-*  
 22       *tion 5(b) of the Inspector General Act of 1978 (5*  
 23       *U.S.C. App.), the Inspector General of the Com-*  
 24       *mission shall concurrently submit each semi-*  
 25       *annual report required under such section 5(b)*

1           to the Commission and to the appropriate com-  
2           mittees or subcommittees of Congress.

3           “(B) *RULE OF CONSTRUCTION.*—Nothing in  
4           subparagraph (A) shall be construed to modify  
5           the requirement for the Commission to submit to  
6           the appropriate committees or subcommittees of  
7           Congress each such semiannual report together  
8           with a report by the Commission under such sec-  
9           tion 5(b).”.

10 **SEC. 7. GAO REPORT ON FCC REGULATORY FEE STRUC-**  
11 **TURE.**

12           (a) *IN GENERAL.*—Not later than 180 days after the  
13           date of enactment of this Act, the Comptroller General of  
14           the United States shall submit to the appropriate congres-  
15           sional committees a report on the current regulatory fee as-  
16           sessments and adjustment process of the Commission.

17           (b) *CONTENTS.*—The Comptroller General shall in-  
18           clude in the report submitted under subsection (a)—

19               (1) a determination as to whether the current  
20               regulatory fee structure correlates to the actual work-  
21               load of the Commission;

22               (2) a determination as to whether the current  
23               regulatory fees are reasonably related to the benefits  
24               provided to the payor of the fees;

1           (3) a determination as to whether the current  
2       regulatory fee structure has a disparate impact on  
3       certain payors or technologies;

4           (4) a determination as to whether the current  
5       regulatory fee structure has a disparate impact on  
6       small-sized payors; and

7           (5) recommendations as to how the current regu-  
8       latory fee structure should be adjusted.

9       **SEC. 8. APPLICATION OF ANTIDEFICIENCY ACT TO UNI-**  
10                           **VERSAL SERVICE PROGRAM.**

11       Section 302 of the Universal Service Antideficiency  
12       Temporary Suspension Act (title III of Public Law 108–  
13       494; 118 Stat. 3998) is amended by striking “December 31,  
14       2017”, each place it appears and inserting “September 30,  
15       2018”.

16       **SEC. 9. DEPOSITS FOR SPECTRUM AUCTIONS.**

17       Section 309(j)(8)(C) of the Communications Act of  
18       1934 (47 U.S.C. 309(j)(8)(C)) is amended to read as fol-  
19       lows:

20                           “(C) *DEPOSITS.*—Any deposits the Commis-  
21       sion may require for the qualification of any  
22       person to bid in a system of competitive bidding  
23       pursuant to this subsection shall be deposited in  
24       the Treasury. Within 45 days following the con-  
25       clusion of the competitive bidding—

1           “(i) the deposits of successful bidders  
 2           shall be credited to the deposit fund of the  
 3           Treasury, except as otherwise provided in  
 4           subparagraphs (D)(ii), (E)(ii), (F), and  
 5           (G); and

6           “(ii) the deposits of unsuccessful bid-  
 7           ders shall be returned to such bidders.”.

8   **SEC. 10. JOINT BOARD RECOMMENDATION.**

9       *The Commission may not modify, amend, or change*  
 10 *its rules or regulations for universal service support pay-*  
 11 *ments to implement the February 27, 2004, recommenda-*  
 12 *tions of the Federal-State Joint Board on Universal Service*  
 13 *regarding single connection or primary line restrictions on*  
 14 *universal service support payments.*

15   **SEC. 11. SPOOFING PREVENTION.**

16       (a) *EXPANDING AND CLARIFYING PROHIBITION ON*  
 17 *MISLEADING OR INACCURATE CALLER IDENTIFICATION IN-*  
 18 *FORMATION.—*

19           (1) *COMMUNICATIONS FROM OUTSIDE THE*  
 20 *UNITED STATES.—Section 227(e)(1) of the Commu-*  
 21 *nications Act of 1934 (47 U.S.C. 227(e)(1)) is amend-*  
 22 *ed by striking “in connection with any telecommuni-*  
 23 *cations service or IP-enabled voice service” and in-*  
 24 *serting “or any person outside the United States if*  
 25 *the recipient of the call is within the United States,*

1       *in connection with any voice service or text messaging*  
 2       *service”.*

3               (2) *COVERAGE OF TEXT MESSAGES AND VOICE*  
 4       *SERVICES.—Section 227(e)(8) of the Communications*  
 5       *Act of 1934 (47 U.S.C. 227(e)(8)) is amended—*

6               (A) *in subparagraph (A), by striking “tele-*  
 7       *communications service or IP-enabled voice serv-*  
 8       *ice” and inserting “voice service or a text mes-*  
 9       *sage sent using a text messaging service”;*

10              (B) *in the first sentence of subparagraph*  
 11       *(B), by striking “telecommunications service or*  
 12       *IP-enabled voice service” and inserting “voice*  
 13       *service or a text message sent using a text mes-*  
 14       *saging service”; and*

15              (C) *by striking subparagraph (C) and in-*  
 16       *serting the following:*

17              “(C) *TEXT MESSAGE.—The term ‘text mes-*  
 18       *sage’—*

19              “(i) *means a message consisting of*  
 20       *text, images, sounds, or other information*  
 21       *that is transmitted from or received by a*  
 22       *device that is identified as the transmitting*  
 23       *or receiving device by means of a 10-digit*  
 24       *telephone number;*

1           “(ii) includes a short message service  
 2           (commonly referred to as ‘SMS’) message,  
 3           an enhanced message service (commonly re-  
 4           ferred to as ‘EMS’) message, and a multi-  
 5           media message service (commonly referred  
 6           to as ‘MMS’) message; and

7           “(iii) does not include a real-time, 2-  
 8           way voice or video communication.

9           “(D) TEXT MESSAGING SERVICE.—The term  
 10          ‘text messaging service’ means a service that per-  
 11          mits the transmission or receipt of a text mes-  
 12          sage, including a service provided as part of or  
 13          in connection with a voice service.

14          “(E) VOICE SERVICE.—The term ‘voice serv-  
 15          ice’—

16               “(i) means any service that furnishes  
 17               voice communications to an end user using  
 18               resources from the North American Num-  
 19               bering Plan or any successor to the North  
 20               American Numbering Plan adopted by the  
 21               Commission under section 251(e)(1); and

22               “(ii) includes transmissions from a  
 23               telephone facsimile machine, computer, or  
 24               other device to a telephone facsimile ma-  
 25               chine.”.

1           (3) *TECHNICAL AMENDMENT.*—Section 227(e) of  
 2           the Communications Act of 1934 (47 U.S.C. 227(e))  
 3           is amended in the heading by inserting “MISLEADING  
 4           OR” before “INACCURATE”.

5           (4) *REGULATIONS.*—

6                   (A) *IN GENERAL.*—Section 227(e)(3)(A) of  
 7           the Communications Act of 1934 (47 U.S.C.  
 8           227(e)(3)(A)) is amended by striking “Not later  
 9           than 6 months after the date of enactment of the  
 10          Truth in Caller ID Act of 2009, the Commis-  
 11          sion” and inserting “The Commission”.

12                   (B) *DEADLINE.*—The Commission shall pre-  
 13          scribe regulations to implement the amendments  
 14          made by this subsection not later than 18 months  
 15          after the date of enactment of this Act.

16           (5) *EFFECTIVE DATE.*—The amendments made  
 17          by this subsection shall take effect on the date that is  
 18          6 months after the date on which the Commission pre-  
 19          scribes regulations under paragraph (4).

20          (b) *CONSUMER EDUCATION MATERIALS ON HOW TO*  
 21          *AVOID SCAMS THAT RELY UPON MISLEADING OR INAC-*  
 22          *CURATE CALLER IDENTIFICATION INFORMATION.*—

23                   (1) *DEVELOPMENT OF MATERIALS.*—Not later  
 24          than 1 year after the date of enactment of this Act,  
 25          the Commission, in collaboration with the Federal

1       *Trade Commission, shall develop consumer education*  
 2       *materials that provide information about—*

3               *(A) ways for consumers to identify scams*  
 4               *and other fraudulent activity that rely upon the*  
 5               *use of misleading or inaccurate caller identifica-*  
 6               *tion information; and*

7               *(B) existing technologies, if any, that a con-*  
 8               *sumer can use to protect against such scams and*  
 9               *other fraudulent activity.*

10       *(2) CONTENTS.—In developing the consumer*  
 11       *education materials under paragraph (1), the Com-*  
 12       *mission shall—*

13               *(A) identify existing technologies, if any,*  
 14               *that can help consumers guard themselves*  
 15               *against scams and other fraudulent activity that*  
 16               *rely upon the use of misleading or inaccurate*  
 17               *caller identification information, including—*

18                       *(i) descriptions of how a consumer can*  
 19                       *use the technologies to protect against such*  
 20                       *scams and other fraudulent activity; and*

21                       *(ii) details on how consumers can ac-*  
 22                       *cess and use the technologies; and*

23               *(B) provide other information that may*  
 24               *help consumers identify and avoid scams and*  
 25               *other fraudulent activity that rely upon the use*

1           *of misleading or inaccurate caller identification*  
 2           *information.*

3           (3) *UPDATES.—The Commission shall ensure*  
 4           *that the consumer education materials required under*  
 5           *paragraph (1) are updated on a regular basis.*

6           (4) *WEBSITE.—The Commission shall include*  
 7           *the consumer education materials developed under*  
 8           *paragraph (1) on its website.*

9           (c) *GAO REPORT ON COMBATING THE FRAUDULENT*  
 10          *PROVISION OF MISLEADING OR INACCURATE CALLER IDEN-*  
 11          *TIFICATION INFORMATION.—*

12           (1) *IN GENERAL.—The Comptroller General of*  
 13           *the United States shall conduct a study of the actions*  
 14           *the Commission and the Federal Trade Commission*  
 15           *have taken to combat the fraudulent provision of mis-*  
 16           *leading or inaccurate caller identification informa-*  
 17           *tion, and the additional measures that could be taken*  
 18           *to combat such activity.*

19           (2) *REQUIRED CONSIDERATIONS.—In conducting*  
 20           *the study under paragraph (1), the Comptroller Gen-*  
 21           *eral shall examine—*

22                   (A) *trends in the types of scams that rely*  
 23                   *on misleading or inaccurate caller identification*  
 24                   *information;*

1           (B) previous and current enforcement ac-  
2           tions by the Commission and the Federal Trade  
3           Commission to combat the practices prohibited  
4           by section 227(e)(1) of the Communications Act  
5           of 1934 (47 U.S.C. 227(e)(1));

6           (C) current efforts by industry groups and  
7           other entities to develop technical standards to  
8           deter or prevent the fraudulent provision of mis-  
9           leading or inaccurate caller identification infor-  
10          mation, and how such standards may help com-  
11          bat the current and future provision of mis-  
12          leading or inaccurate caller identification infor-  
13          mation; and

14          (D) whether there are additional actions the  
15          Commission, the Federal Trade Commission, and  
16          Congress should take to combat the fraudulent  
17          provision of misleading or inaccurate caller  
18          identification information.

19          (3) *REPORT.*—Not later than 18 months after the  
20          date of enactment of this Act, the Comptroller General  
21          shall submit to the appropriate congressional commit-  
22          tees a report on the findings of the study under para-  
23          graph (1), including any recommendations regarding  
24          combating the fraudulent provision of misleading or  
25          inaccurate caller identification information.

1       (d) *RULE OF CONSTRUCTION.*—*Nothing in this sec-*  
 2 *tion, or the amendments made by this section, shall be con-*  
 3 *strued to modify, limit, or otherwise affect any rule or order*  
 4 *adopted by the Commission in connection with—*

5               (1) *the Telephone Consumer Protection Act of*  
 6 *1991 (Public Law 102–243; 105 Stat. 2394) or the*  
 7 *amendments made by that Act; or*

8               (2) *the CAN–SPAM Act of 2003 (15 U.S.C. 7701*  
 9 *et seq.).*

10 **SEC. 12. KARI’S LAW.**

11       (a) *SHORT TITLE.*—*This section may be cited as the*  
 12 *“Kari’s Law Act of 2016”.*

13       (b) *DEFAULT CONFIGURATION OF MULTI-LINE TELE-*  
 14 *PHONE SYSTEMS FOR DIRECT DIALING OF 9–1–1.—*

15               (1) *IN GENERAL.*—*Title VII of the Communica-*  
 16 *tions Act of 1934 (47 U.S.C. 601 et seq.) is amended*  
 17 *by adding at the end the following:*

18 **“SEC. 721. DEFAULT CONFIGURATION OF MULTI-LINE TELE-**  
 19 **PHONE SYSTEMS FOR DIRECT DIALING OF 9–**  
 20 **1–1.**

21       “(a) *DEFINITIONS.*—*In this section—*

22               “(1) *the term ‘multi-line telephone system’ has*  
 23 *the meaning given the term in section 6502 of the*  
 24 *Middle Class Tax Relief and Job Creation Act of 2012*  
 25 *(47 U.S.C. 1471); and*

1           “(2) the term ‘public safety answering point’ has  
2       the meaning given the term in section 222(h) of this  
3       Act.

4       “(b)       MULTI-LINE       TELEPHONE       SYSTEM  
5       FUNCTIONALITY.—A person engaged in the business of man-  
6       ufacturing, importing, selling, or leasing multi-line tele-  
7       phone systems may not manufacture or import for use in  
8       the United States or sell or lease or offer to sell or lease  
9       in the United States a multi-line telephone system unless  
10      the system’s technology would allow installation as specified  
11      in subsection (c).

12      “(c)   MULTI-LINE   TELEPHONE   SYSTEM   INSTALLA-  
13      TION.—A person engaged in the business of installing a  
14      multi-line telephone system serving locations in the United  
15      States may not install such a system in the United States  
16      unless upon installation the system allows a call that is  
17      initiated when a user dials 9–1–1 from any station  
18      equipped with dialing facilities to be transmitted to the ap-  
19      propriate public safety answering point—

20           “(1) without requiring the user to dial any addi-  
21      tional digit, code, prefix, or post-fix, including any  
22      trunk-access code (such as the digit ‘9’); and

23           “(2) regardless of whether the user is required to  
24      dial such a digit, code, prefix, or post-fix for other  
25      calls.

1       “(d) *OTHER 9-1-1 EMERGENCY DIALING PAT-*  
 2 *TERNS.—Nothing in this section shall prohibit the configu-*  
 3 *ration of a multi-line telephone system so that other 9-1-*  
 4 *1 emergency dialing patterns will also initiate a call to a*  
 5 *public safety answering point, provided that the dialing*  
 6 *pattern 9-1-1 remains available to users.*

7       “(e) *ON-SITE NOTIFICATION.—*

8               “(1) *IN GENERAL.—A person engaged in the*  
 9 *business of installing multi-line telephone systems, in*  
 10 *installing a system described in paragraph (2), shall*  
 11 *configure the system so that when a person at the fa-*  
 12 *cility where the system is installed initiates a call to*  
 13 *9-1-1 using the system, the system provides a notifi-*  
 14 *cation to—*

15                       “(A) *a central location at the facility; or*

16                       “(B) *a person or organization with respon-*  
 17 *sibility for safety or security for the location as*  
 18 *designated by the manager or operator of the sys-*  
 19 *tem.*

20               “(2) *APPLICATION.—A system described in this*  
 21 *paragraph is a multi-line telephone system that is*  
 22 *able to be configured to provide the notification de-*  
 23 *scribed in paragraph (1) without an improvement to*  
 24 *the hardware of the system.*

25       “(f) *REGULATIONS.—*

1           “(1) *AUTHORITY.*—*The Commission may pre-*  
2           *scribe regulations to carry out this section.*

3           “(2) *TECHNOLOGICALLY NEUTRAL.*—*Regulations*  
4           *prescribed under paragraph (1) shall, to the extent*  
5           *practicable, promote the purposes of this section in a*  
6           *technologically neutral manner.*

7           “(g) *ENFORCEMENT.*—*This section shall be enforced*  
8           *under title V, except that section 501 applies only to the*  
9           *extent that the section provides for the imposition of a fine.*

10          “(h) *EFFECT ON STATE LAW.*—*Nothing in this section*  
11          *or in regulations prescribed under this section shall be con-*  
12          *strued to prevent any State from enforcing any State law*  
13          *that is not inconsistent with this section.”.*

14               (2) *EFFECTIVE DATE.*—*The amendment made by*  
15          *paragraph (1) shall apply with respect to a multi-*  
16          *line telephone system that is manufactured, imported,*  
17          *offered for first sale or lease, first sold or leased, or*  
18          *installed after the date that is 2 years after the date*  
19          *of the enactment of this Act.*

20   **SEC. 13. RULEMAKING RELATING TO CRAMMING.**

21          (a) *DEFINITION.*—*In this section, the term “cram-*  
22          *ming” means the act of placing unauthorized charges on*  
23          *a wireline, wireless, or bundled services telephone bill of a*  
24          *consumer.*

1       (b) *RULEMAKING.*—Not later than 2 years after the  
 2 date of enactment of this Act, the Commission shall com-  
 3 plete a rulemaking proceeding relating to cramming, dur-  
 4 ing which the Commission shall consider measures related,  
 5 but not limited, to blocking the placement of third party  
 6 charges on a wireline, wireless, or bundled services telephone  
 7 bill of a consumer under the criteria upon which the Com-  
 8 mission relied when the Commission entered into a consent  
 9 decree relating to cramming with any mobile voice and  
 10 data service provider.

11 **SEC. 14. RULEMAKING RELATING TO PROMOTING**  
 12 **BROADBAND INTERNET ACCESS SERVICE FOR**  
 13 **VETERANS.**

14       (a) *DEFINITIONS.*—In this section—

15           (1) the term “broadband Internet access service”  
 16 has the meaning given the term in section 8.2 of title  
 17 47, Code of Federal Regulations, or any successor  
 18 thereto; and

19           (2) the term “veteran” has the meaning given the  
 20 term in section 101 of title 38, United States Code.

21       (b) *RULEMAKING.*—Not later than 90 days after the  
 22 date of enactment of this Act, the Commission shall release  
 23 a notice of inquiry relating to examining and promoting  
 24 broadband Internet access service for veterans, in particular  
 25 low-income veterans and veterans residing in rural areas.

1 **SEC. 15. IMPACT OF UNIVERSAL SERVICE SUPPORT ON**  
 2 **TRIBES.**

3 *Section 254 of the Communications Act of 1934 (47*  
 4 *U.S.C. 254) is amended by adding at the end the following:*

5 *“(m) IMPACT OF UNIVERSAL SERVICE SUPPORT ON*  
 6 *TRIBES.—*

7 *“(1) DEFINITION.—In this subsection, the term*  
 8 *‘tribal land’ means land included in the definition of*  
 9 *‘Tribal lands’ in section 54.400 of title 47, Code of*  
 10 *Federal Regulations, or any successor regulation.*

11 *“(2) MEASURING IMPACT OF UNIVERSAL SERVICE*  
 12 *SUPPORT ON TRIBAL LAND.—*

13 *“(A) DEVELOPMENT OF METRICS.—Not*  
 14 *later than December 31, 2017, for each universal*  
 15 *service support mechanism, the Commission shall*  
 16 *develop and implement metrics to measure the*  
 17 *impact of universal service support on the de-*  
 18 *ployment and adoption of broadband, includ-*  
 19 *ing—*

20 *“(i) deployment on tribal land and*  
 21 *adoption by residents of tribal land;*

22 *“(ii) adoption by—*

23 *“(I) schools and libraries located*  
 24 *on tribal land; and*

1                   “(II) schools and libraries that  
 2                   serve large numbers of residents of trib-  
 3                   al land; and

4                   “(iii) adoption by—

5                   “(I) health care facilities located  
 6                   on tribal land; and

7                   “(II) rural health care providers  
 8                   that serve large numbers of residents of  
 9                   tribal land.

10                  “(B) DATA.—In developing and imple-  
 11                  menting metrics under subparagraph (A), the  
 12                  Commission shall rely on data collected from  
 13                  multiple sources, including—

14                  “(i) data collected by the Commission  
 15                  or the Universal Service Administrative  
 16                  Company in the course of administering the  
 17                  universal service support mechanisms;

18                  “(ii) data collected by—

19                  “(I) other agencies such as the De-  
 20                  partment of Education, the Depart-  
 21                  ment of Health and Human Services,  
 22                  the Bureau of Indian Affairs (includ-  
 23                  ing data on the Rights of Way on In-  
 24                  dian Land Final Rule (25 C.F.R.

1                   169)), and the Department of Com-  
2                   merce; and

3                   “(II) tribal, State, and local gov-  
4                   ernments;

5                   “(iii) data collected by tribally-owned  
6                   and non-tribally-owned broadband service  
7                   providers; and

8                   “(iv) other private sector sources of in-  
9                   formation.

10                  “(3) ANALYZING AND REPORTING ON IMPACT OF  
11                  UNIVERSAL SERVICE SUPPORT ON TRIBES AND TRIBAL  
12                  LAND.—Beginning in 2018, the Commission shall  
13                  prepare and submit to Congress a biennial report  
14                  that—

15                       “(A) includes the measurements taken under  
16                       paragraph (2);

17                       “(B) addresses ways to improve the efficacy  
18                       of universal service support on tribal land and  
19                       for residents of tribal land with regard to  
20                       broadband deployment and adoption;

21                       “(C) identifies barriers to broadband adop-  
22                       tion and deployment on tribal land;

23                       “(D) addresses ways to overcome the bar-  
24                       riers described in subparagraph (C);

1           “(E) addresses ways to improve the collec-  
 2           tion of data or use of open data sources by the  
 3           Commission to better measure the deployment  
 4           and adoption of broadband on tribal land;

5           “(F) examines ways to implement or im-  
 6           prove measurements that show the impact of uni-  
 7           versal service support on members of tribes who  
 8           do not live on tribal land; and

9           “(G) examines ways to implement or im-  
 10          prove measurements that show the impact of uni-  
 11          versal service support on eligible schools, librar-  
 12          ies, and rural health care providers that are not  
 13          located on tribal land but serve large numbers of  
 14          residents of tribal land.

15          “(4) NO INCREASE IN ADMINISTRATIVE BUR-  
 16          DEN.—In carrying out this subsection, the Commis-  
 17          sion shall ensure that any data collection efforts do  
 18          not result in a net increase in the administrative bur-  
 19          den on private sector sources of information.

20          “(5) WORKING GROUP.—The Commission shall  
 21          convene a multi-stakeholder working group to exam-  
 22          ine ways to establish metrics under paragraph (2)  
 23          that—

24                 “(A) do not place additional burdens on  
 25                 carriers; and

1                   “(B) utilize open data resources.

2                   “(6) SUNSET.—This subsection shall terminate  
3                   on December 31, 2032.”.

4   **SEC. 16. CHIEF INFORMATION OFFICER AUTHORITY.**

5           (a) IN GENERAL.—The Commission shall ensure that  
6 the Chief Information Officer of the Commission has the  
7 authority to participate in decisions regarding the budget  
8 planning process related to information technology.

9           (b) CIO APPROVAL.—Amounts appropriated to the  
10 Commission that are available for information technology  
11 shall be allocated within the Commission, consistent with  
12 the provisions of appropriations Acts and budget guidelines  
13 and recommendations from the Director of the Office of  
14 Management and Budget, in such manner as specified by,  
15 or approved by, the Chief Information Officer of the Com-  
16 mission in consultation with the Chief Financial Officer of  
17 the Commission and budget officials.

18   **SEC. 17. DISCLAIMER FOR PRESS RELEASES REGARDING**  
19                   **NOTICES OF APPARENT LIABILITY.**

20           The Commission shall include in any press release re-  
21 garding the issuance of a notice of apparent liability under  
22 section 503(b)(4) of the Communications Act of 1934 (47  
23 U.S.C. 503(b)(4)) a disclaimer informing consumers that—

24                   (1) the issuance of a notice of apparent liability  
25                   should be treated only as allegations; and

1           (2) *the amount of any forfeiture penalty pro-*  
 2           *posed in a notice of apparent liability represents the*  
 3           *maximum penalty that the Commission may impose*  
 4           *for the violations alleged in the notice of apparent li-*  
 5           *ability.*

6 **SEC. 18. FEDERAL SPECTRUM TRANSPARENCY AND VALUE.**

7           (a) *SPECTRUM OPPORTUNITY COST STUDY AND RE-*  
 8           *PORT.—*

9           (1) *IN GENERAL.—Not later than 2 years after*  
 10          *the date of enactment of this Act, and every 2 years*  
 11          *thereafter, the Comptroller General of the United*  
 12          *States shall submit to the appropriate committees of*  
 13          *Congress a report on the annual opportunity cost of*  
 14          *each specific Federal spectrum band assigned to, or*  
 15          *otherwise allocated for use by, Federal entities.*

16          (2) *SCOPE.—Each report submitted under para-*  
 17          *graph (1) shall cover all federally allocated spectrum*  
 18          *bands between 150 megahertz and 6000 megahertz,*  
 19          *inclusive.*

20          (3) *REQUIREMENTS.—Each report submitted*  
 21          *under paragraph (1) shall—*

22                (A) *define the term “opportunity cost” as*  
 23                *the value of the spectrum, in dollar terms, as if*  
 24                *such spectrum were to be reallocated on a li-*  
 25                *censed or unlicensed basis to the highest commer-*

1        *cial alternative use that currently does not have*  
 2        *access to that spectrum;*

3            *(B) take into account the national security*  
 4        *implications, including mission effectiveness, of*  
 5        *the potential transfer of Federal spectrum and*  
 6        *the ability of Federal entities to move to new*  
 7        *bands or share existing bands, and any limita-*  
 8        *tions on such moving or sharing;*

9            *(C) take into account the time required to*  
 10       *relocate and the cost of any potential relocation*  
 11       *or sharing of spectrum;*

12           *(D) take into account observed market valu-*  
 13       *ations from spectrum auctions, secondary spec-*  
 14       *trum trading, and other market indicators of*  
 15       *spectrum value; and*

16           *(E) determine the opportunity costs of spec-*  
 17       *trum assigned or otherwise allocated to Federal*  
 18       *entities on an exclusive or shared basis.*

19        *(b) SPECTRUM TECHNOLOGY STUDY.—*

20           *(1) IN GENERAL.—Not later than 2 years after*  
 21       *the date of enactment of this Act, and every 5 years*  
 22       *thereafter, the Comptroller General of the United*  
 23       *States shall—*

1           (A) *examine the technologies and equipment*  
 2           *used by Federal entities operating on Federal*  
 3           *spectrum allocations; and*

4           (B) *determine whether such technologies and*  
 5           *equipment are the most spectrum-efficient avail-*  
 6           *able compared to existing technology to assist in*  
 7           *efficient use of spectrum.*

8           (2) *SCOPE.—Each study conducted under para-*  
 9           *graph (1) shall cover all federally allocated spectrum*  
 10          *bands between 150 megahertz and 6000 megahertz,*  
 11          *inclusive.*

12          (3) *CONSIDERATIONS.—In conducting each study*  
 13          *under paragraph (1), the Comptroller General shall*  
 14          *take into account—*

15               (A) *limitations on the acceptance of new*  
 16               *technology and equipment such as design charac-*  
 17               *teristics of national security programs and ac-*  
 18               *quisition challenges associated with introducing*  
 19               *new technologies into complex defense programs*  
 20               *with unique requirements, including national se-*  
 21               *curity satellite programs; and*

22               (B) *the impact of accepting new technology*  
 23               *and equipment on mission effectiveness.*

24          (4) *CERTAIN DETERMINATIONS MADE.—If any*  
 25          *study required under paragraph (1) determines that*

1        *the technologies and equipment of Federal entities op-*  
 2        *erating on Federal spectrum allocations are not the*  
 3        *most spectrum-efficient available, the Comptroller*  
 4        *General shall determine—*

5                *(A) what the costs would be to upgrade such*  
 6                *systems to more up-to-date and readily available*  
 7                *systems;*

8                *(B) what benefits would be gained from up-*  
 9                *grading, particularly any cost savings or in-*  
 10               *creases in spectrum utilization efficiency; and*

11               *(C) whether there are any potential prob-*  
 12               *lems with upgrading to more up-to-date systems.*

13               *(5) REPORTS.—The Comptroller General shall*  
 14               *submit to the appropriate committees of Congress a*  
 15               *report on each study required under paragraph (1).*

16               *(c) SUNSET.—This section shall terminate on the date*  
 17               *that is 10 years after the date on which the first report*  
 18               *is submitted under subsection (a).*

19               *(d) APPROPRIATE COMMITTEES OF CONGRESS DE-*  
 20               *FINED.—For purposes of this section, the term “appropriate*  
 21               *committees of Congress” means—*

22                        *(1) the Committee on Commerce, Science, and*  
 23                        *Transportation of the Senate;*

24                        *(2) the Committee on Armed Services of the Sen-*  
 25                        *ate;*

1           (3) *the Select Committee on Intelligence of the*  
2     *Senate;*

3           (4) *the Committee on Energy and Commerce of*  
4     *the House of Representatives;*

5           (5) *the Committee on Armed Services of the*  
6     *House of Representatives; and*

7           (6) *the Permanent Select Committee on Intel-*  
8     *ligence of the House of Representatives.*

9     **SEC. 19. STUDY AND REPORT ON FILING REQUIREMENTS**

10                   **UNDER UNIVERSAL SERVICE FUND PRO-**  
11                   **GRAMS.**

12     (a) *DEFINITIONS.—In this section—*

13           (1) *the term “Commission” means the Federal*  
14     *Communications Commission;*

15           (2) *the term “covered carrier” means an eligible*  
16     *telecommunications carrier or service provider that*  
17     *receives universal service support under sections*  
18     *214(e) and 254 of the Communications Act of 1934*  
19     *(47 U.S.C. 214(e) and 254) for the provision of serv-*  
20     *ice under a Universal Service Fund program; and*

21           (3) *the term “Universal Service Fund program”*  
22     *means—*

23           (A) *the Connect America Fund of the Com-*  
24     *mission set forth under subpart D of part 54 of*

1           *title 47, Code of Federal Regulations, or any suc-*  
 2           *cessor thereto;*

3           *(B) the Lifeline program of the Commission*  
 4           *set forth under subpart E of part 54 of title 47,*  
 5           *Code of Federal Regulations, or any successor*  
 6           *thereto;*

7           *(C) the E-Rate program of the Commission*  
 8           *set forth under subpart F of part 54 of title 47,*  
 9           *Code of Federal Regulations, or any successor*  
 10          *thereto; or*

11          *(D) the Rural Health Care program of the*  
 12          *Commission set forth under subpart G of part 54*  
 13          *of title 47, Code of Federal Regulations, or any*  
 14          *successor thereto.*

15          *(b) STUDY AND REPORT.—Not later than 180 days*  
 16          *after the date of enactment of this Act, the Comptroller Gen-*  
 17          *eral of the United States shall conduct a study and submit*  
 18          *to the Commission and the Committee on Commerce,*  
 19          *Science, and Transportation of the Senate a report, which*  
 20          *shall include—*

21               *(1) an analysis of the filing requirements for*  
 22               *covered carriers participating in a Universal Service*  
 23               *Fund program, including any filings required by the*  
 24               *Universal Service Administrative Company and the*  
 25               *National Exchange Carrier Association;*

1           (2) *an analysis of the financial impact of those*  
 2           *filing requirements on covered carriers participating*  
 3           *in a Universal Service Fund program; and*

4           (3) *recommendations on how to consolidate re-*  
 5           *dundant filing requirements for covered carriers par-*  
 6           *ticipating in a Universal Service Fund program.*

7   **SEC. 20. FEASIBILITY STUDY ON MOBILE BROADBAND COV-**  
 8           **ERAGE DRIVE TESTING IN RURAL AREAS.**

9           (a) *DEFINITION.*—*In this section, the term “rural*  
 10          *area” means a nonmetropolitan county or county equiva-*  
 11          *lent, as defined by the Office of Management and Budget.*

12          (b) *STUDY.*—*The Commission shall study the feasi-*  
 13          *bility of conducting mobile broadband coverage drive testing*  
 14          *in rural areas, to determine the scope of existing mobile*  
 15          *broadband coverage, using—*

16               (1) *the delivery systems of the United States*  
 17               *Postal Service;*

18               (2) *commercial entities; and*

19               (3) *any other means that the Commission deter-*  
 20               *mines appropriate.*

21          (c) *REPORT.*—*Not later than 180 days after the date*  
 22          *of enactment of this Act, the Commission—*

23               (1) *shall submit to Congress a report with the re-*  
 24               *sults of the study conducted under subsection (b); and*

1           (2) if the Commission determines that con-  
 2           ducting drive testing as described in subsection (b) is  
 3           not feasible, shall include in the report recommenda-  
 4           tions for other methods of mobile broadband coverage  
 5           testing in rural areas that the Commission considers  
 6           feasible.

7 **SEC. 21. STUDY ON INTERNET PROTOCOL TRANSITION.**

8           (a) *DEFINITION.*—In this section, the term “Internet  
 9           Protocol transition” means the transition of telecommuni-  
 10          cations services in the United States from legacy telephone  
 11          services to Internet Protocol-based services.

12          (b) *STUDY.*—The Comptroller General of the United  
 13          States shall conduct a study on the potential benefits of the  
 14          Internet Protocol transition and the preparedness of the  
 15          Federal Government to efficiently facilitate the transition,  
 16          including by examining how the Federal Government—

17               (1) is working with public and private sector  
 18               stakeholders; and

19               (2) can best facilitate the transition in rural and  
 20               low-income communities.

21          (c) *REPORT.*—Not later than 270 days after the date  
 22          of enactment of this Act, the Comptroller General of the  
 23          United States shall submit to the appropriate congressional  
 24          committees a report on the study conducted under sub-  
 25          section (b).

1 **SEC. 22. REPORT ON INCENTIVE AUCTION REPACK.**

2       (a) *FIRST REPORT.*—As expeditiously as possible, and  
 3 not later than 105 days after the completion of the forward  
 4 auction required under section 6403(c) of the Middle Class  
 5 Tax Relief and Job Creation Act of 2012 (47 U.S.C.  
 6 1452(c)), the Commission shall submit to the appropriate  
 7 congressional committees a report that contains an analysis  
 8 of—

9           (1) how many and which broadcast television li-  
 10 censees and other entities have submitted TV Broad-  
 11 caster Relocation Fund reimbursement forms;

12           (2) the aggregate amount of reimbursements re-  
 13 quested from the TV Broadcaster Relocation Fund  
 14 and an estimate of what resources are currently  
 15 available to reimburse costs reasonably incurred by  
 16 broadcast television licensees and other entities;

17           (3) how many television stations will be required  
 18 to relocate to a new channel assignment following the  
 19 completion of the forward auction; and

20           (4) the status of bilateral spectrum coordination  
 21 with Canada and Mexico.

22       (b) *SECOND REPORT.*—Not later than 240 days after  
 23 the completion of the forward auction required under sec-  
 24 tion 6403(c) of the Middle Class Tax Relief and Job Cre-  
 25 ation Act of 2012 (47 U.S.C. 1452(c)), the Commission shall

1 *submit to the appropriate congressional committees a report*  
 2 *that contains—*

3 *(1) a construction schedule for the relocation of*  
 4 *television stations to new channel assignments fol-*  
 5 *lowing the completion of the forward auction;*

6 *(2) a projection, to the extent possible, of whether*  
 7 *broadcast television viewers will face any service dis-*  
 8 *ruptions as a result of the relocation of television sta-*  
 9 *tions to new channel assignments;*

10 *(3) a projection, to the extent possible, of the im-*  
 11 *pact of the relocation of television stations to new*  
 12 *channel assignments on rural areas of the United*  
 13 *States and television broadcast translator services;*  
 14 *and*

15 *(4) what steps may be taken to accelerate the re-*  
 16 *location of television stations to new channel assign-*  
 17 *ments and expedite successful forward auction bid-*  
 18 *ders' use of spectrum.*

19 **SEC. 23. REPORT ON UNIVERSAL SERVICE RURAL HEALTH**  
 20 **CARE PROGRAM.**

21 *(a) DEFINITION.—In this section, the term “funding*  
 22 *year” has the meaning given the term in section 54.675(b)*  
 23 *of title 47, Code of Federal Regulations, or any successor*  
 24 *regulation.*

1       (b) *REPORT REQUIRED.*—Not later than 270 days  
 2 after the date of enactment of this Act, the Commission shall  
 3 submit to the appropriate congressional committees a report  
 4 that assesses the Universal Service Rural Health Care Pro-  
 5 gram of the Commission.

6       (c) *CONTENTS.*—The report submitted under sub-  
 7 section (b) shall include—

8               (1) data on the amount of funding that the Uni-  
 9 versal Service Rural Health Care Program has dis-  
 10 tributed to health care providers in each State since  
 11 the beginning of funding year 2013, broken down by  
 12 the—

13                       (A) *Healthcare Connect Fund*;

14                       (B) *Telecommunications Program*; and

15                       (C) *Rural Health Care Pilot Program*;

16               (2) data on the types of advanced telecommuni-  
 17 cations and information services that each program  
 18 described in subparagraphs (A), (B), and (C) of para-  
 19 graph (1) has funded since the beginning of funding  
 20 year 2013;

21               (3) data on the types of health care providers  
 22 that each program described in subparagraphs (A),  
 23 (B), and (C) of paragraph (1) has funded since the  
 24 beginning of funding year 2013, broken down by each

1       category listed in section 254(h)(7)(B) of the Commu-  
 2       nications Act of 1934 (47 U.S.C. 254(h)(7)(B));

3           (4) an assessment of the efficacy of the Tele-  
 4       communications Program, including—

5           (A) the number of health care providers that  
 6       the Commission estimates have transferred from  
 7       the Internet Access Program and the Tele-  
 8       communications Program to the Healthcare Con-  
 9       nect Fund since the beginning of funding year  
 10      2013;

11          (B) whether there is a continued need for  
 12      the Telecommunications Program; and

13          (C) whether the Telecommunications Pro-  
 14      gram should be reformed or transitioned into the  
 15      Healthcare Connect Fund; and

16          (5) a summary of recommendations made by  
 17      commenters in response to the notice of inquiry under  
 18      subsection (d).

19      (d) NOTICE OF INQUIRY.—Not later than 180 days  
 20      after the date of enactment of this Act, the Commission shall  
 21      issue a notice of inquiry evaluating whether the Universal  
 22      Service Rural Health Care Program is meeting the goals  
 23      of section 254(h) of the Communications Act of 1934 (47  
 24      U.S.C. 254(h)), including—

25          (1) regulatory and legislative proposals;

1           (2) *an evaluation of whether the definition of the*  
 2           *term “health care provider” under that section needs*  
 3           *to be updated to ensure that support is being used ef-*  
 4           *fectively to provide health care services to rural areas;*  
 5           *and*

6           (3) *an evaluation of whether the advanced tele-*  
 7           *communications and information services funded by*  
 8           *the Program are sufficient to provide health care serv-*  
 9           *ices to rural areas.*

10 **SEC. 24. GAO REPORT RELATING TO THE E-RATE PROGRAM.**

11           (a) *IN GENERAL.*—*Not later than 180 days after the*  
 12           *date of enactment of this Act, the Comptroller General of*  
 13           *the United States shall submit to the appropriate congres-*  
 14           *sional committees a report on the E-rate program of the*  
 15           *Commission set forth under subpart F of part 54 of title*  
 16           *47, Code of Federal Regulations (in this section referred to*  
 17           *as the “E-rate program”).*

18           (b) *CONTENTS.*—*The report submitted under sub-*  
 19           *section (a) shall include—*

20           (1) *a review of the Second E-rate Modernization*  
 21           *Order adopted by the Commission on December 11,*  
 22           *2014 (FCC 14–189) and the results of the order, in-*  
 23           *cluding—*

1           (A) *whether the order has improved Internet*  
 2           *connectivity, including high-speed broadband*  
 3           *and Wi-Fi, for schools and libraries;*

4           (B) *whether the order has led to the provi-*  
 5           *sion of additional funding to schools and librar-*  
 6           *ies;*

7           (C) *the number of students and other indi-*  
 8           *viduals impacted;*

9           (D) *whether the order has resulted in over-*  
 10          *building and the duplication of facilities already*  
 11          *in existence, and if so, the reason why; and*

12          (E) *whether effective safeguards are in place*  
 13          *to avoid overbuilding and the duplication of fa-*  
 14          *cilities already in existence;*

15          (2) *a determination as to what gaps still exist*  
 16          *in Internet connectivity, including high-speed*  
 17          *broadband and Wi-Fi, for schools and libraries; and*

18          (3) *recommendations as to how the E-rate pro-*  
 19          *gram can be improved to better provide Internet*  
 20          *connectivity, including high-speed broadband and Wi-*  
 21          *Fi, for schools and libraries.*

22 **SEC. 25. GAO REPORT.**

23          (a) *DEFINITION.—In this section, the term “National*  
 24          *Broadband Map” means the broadband inventory map de-*

1 *veloped and maintained by the National Telecommuni-*  
 2 *cations and Information Administration.*

3 *(b) REPORT.—Not later than 1 year after the date of*  
 4 *enactment of this Act, the Comptroller General of the United*  
 5 *States shall submit to Congress a report evaluating—*

6 *(1) how the Federal Communications Commis-*  
 7 *sion ensures that the broadband data collected by the*  
 8 *Commission is accurate, complete, and reliable, in-*  
 9 *cluding how making the data publicly available on*  
 10 *the National Broadband Map, or any successor map,*  
 11 *aids the Commission in that goal;*

12 *(2) the extent to which Federal agencies or other*  
 13 *entities authorized to distribute Federal grants or*  
 14 *loans for broadband projects rely on data in the Na-*  
 15 *tional Broadband Map to—*

16 *(A) award grants and loans for broadband*  
 17 *projects; or*

18 *(B) determine whether Federal Government*  
 19 *funds will be used to deploy broadband in areas*  
 20 *already served by private broadband providers;*

21 *(3) the actions the Commission has taken or*  
 22 *plans to take to address the limitations, if any, in*  
 23 *using data in the National Broadband Map, or any*  
 24 *successor map, for policy or funding decisions;*

1           (4) *the extent to which interested parties have*  
 2           *challenged the accuracy of information in the Na-*  
 3           *tional Broadband Map, or any successor map, includ-*  
 4           *ing how the challenges were resolved; and*

5           (5) *whether the Commission should collect data*  
 6           *for the National Broadband Map from additional or*  
 7           *alternative commercial sources.*

8   **SEC. 26. REPORTS RELATED TO SPECTRUM AUCTIONS.**

9           (a) *ESTIMATE OF UPCOMING AUCTIONS.*—Section  
 10          309(j) of the Communications Act of 1934 (47 U.S.C.  
 11          309(j)) is amended—

12           (1) *in paragraph (8)(B), by striking “second”*  
 13           *each place it appears; and*

14           (2) *by adding at the end the following:*

15           “(18) *ESTIMATE OF UPCOMING AUCTIONS.*—

16                   “(A) *Not later than September 30, 2016,*  
 17                   *and annually thereafter, the Commission shall*  
 18                   *make publicly available an estimate of what sys-*  
 19                   *tems of competitive bidding authorized under*  
 20                   *this subsection may be initiated during the up-*  
 21                   *coming 12-month period.*

22                   “(B) *The estimate under subparagraph (A)*  
 23                   *shall, to the extent possible, identify the bands of*  
 24                   *frequencies the Commission expects to be in-*

1           *cluded in each such system of competitive bid-*  
 2           *ding.”.*

3           **(b) AUCTION EXPENDITURE JUSTIFICATION RE-**  
 4 *PORT.—Not later than April 1, 2017, and annually there-*  
 5 *after, the Commission shall provide to the appropriate com-*  
 6 *mittees of Congress a report containing a detailed justifica-*  
 7 *tion for the use of proceeds retained by the Commission*  
 8 *under section 309(j)(8)(B) of the Communications Act of*  
 9 *1934 (47 U.S.C. 309(j)(8)(B)) for the costs of developing*  
 10 *and implementing the program required by section 309(j)*  
 11 *of that Act.*

12           **(c) DEFINITION.—***For purposes of this section, the*  
 13 *term “appropriate committees of Congress” means—*

14                   *(1) the Committee on Commerce, Science, and*  
 15                   *Transportation of the Senate;*

16                   *(2) the Committee on Appropriations of the Sen-*  
 17                   *ate;*

18                   *(3) the Committee on Energy and Commerce of*  
 19                   *the House of Representatives; and*

20                   *(4) the Committee on Appropriations of the*  
 21                   *House of Representatives.*

22 **SEC. 27. FCC BROADBAND DATA COLLECTION REPORT.**

23           **(a) REPORT REQUIRED.—***Not later than 18 months*  
 24 *after the date of enactment of this Act, the Commission shall*  
 25 *submit to the appropriate congressional committees a report*

1 *on the broadband deployment and subscription data collec-*  
2 *tion practices of the Commission.*

3 (b) *CONSIDERATIONS.*—*The report required under sub-*  
4 *section (a) shall include—*

5 (1) *a review of the broadband data collected*  
6 *through the Form 477 process of the Commission, in-*  
7 *cluding for both fixed and mobile broadband;*

8 (2) *an explanation of how the Commission en-*  
9 *sures that broadband data submitted through the*  
10 *Form 477 process is accurate;*

11 (3) *recommendations, including legislative rec-*  
12 *ommendations, on how the Commission can improve*  
13 *the broadband data collection practices of the Com-*  
14 *mission with respect to both fixed and mobile*  
15 *broadband; and*

16 (4) *with respect to any regulatory recommenda-*  
17 *tions made in the report, a plan for implementing*  
18 *those recommendations.*

19 (c) *PUBLIC COMMENT.*—*The Commission shall provide*  
20 *notice and an opportunity for public comment on the report*  
21 *required under subsection (a) in order to solicit rec-*  
22 *ommendations from those comments on how the Commis-*  
23 *sion can improve the broadband data collection practices*  
24 *of the Commission.*

Calendar No. 637

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> Session

**S. 2644**

[Report No. 114-355]

**A BILL**

To reauthorize the Federal Communications Commission for fiscal years 2017 and 2018, and for other purposes.

SEPTEMBER 20, 2016

Reported with an amendment