

Carolina (Mr. BUDD), a member of the Financial Services Committee.

Mr. BUDD. Mr. Speaker, I rise today in strong support of Mr. KUSTOFF's bill, the National Strategy for Combating the Financing of Transnational Criminal Organizations Act.

Mr. Speaker, I want to thank my friend for his leadership on this important issue, even if it does have a really, really long name.

I have seen firsthand how these transnational drug cartels can disrupt civil society. In my own district, the opioid epidemic has destroyed innocent people's lives, including kids, while transnational criminal organizations, or TCOs, profit on people's misery and their death.

TCOs have brought heroin to our streets and, along with it, increased crime, placing additional burdens on law enforcement in local communities.

We are in crisis mode, and targeted steps need to be taken to address this epidemic at all phases. We have to crack down on the pusher on the street. We have to crack down on the drug cartels. We have to crack down on the drug companies that have made a profit from overprescription and filling suspect orders.

Most of all, we have to crack down on the intricate faceless and unbelievably complex international criminal organizations that allow the profits from these activities into our economy.

We must eradicate the international illicit financing networks that are the linchpin of any criminal organization's operations. But we don't have a unified national plan.

Luckily, this committee has an opportunity to make a difference by coming up with a national strategy and plan to attack transnational criminal organizations' finances.

Mr. KUSTOFF's bill would direct the Secretary of the Treasury to provide that plan, a vital first step towards addressing the threat posed by the growing sophistication of illicit financing networks.

Passing this bill is a significant step toward an effective, sustained national strategy to attack the funding that makes these TCOs possible.

Therefore, it is critical that we continue to maximize cooperation among Federal departments to keep our policies ahead of these transnational criminals.

Mr. Speaker, I urge adoption of Mr. KUSTOFF's timely and important piece of legislation.

Mr. KILDEE. Mr. Speaker, I reserve the balance of my time.

Mr. BARR. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. GAETZ).

Mr. GAETZ. Mr. Speaker, I thank the gentleman for yielding me time. I also thank the gentleman from Tennessee for introducing this responsible legislation.

Mr. Speaker, I look forward to circumstances where this administration will have additional tools to deal with

transnational criminal organizations, and I hope that we will use those tools to counter the threat posed by Hezbollah.

Hezbollah is not a political party. It is not a quaint reflection of history. It is a web of terrorists and criminals, and that web extends here to our hemisphere.

In fact, in 2009, there was an arrest made in Philadelphia, where Hezbollah operatives were looking to move 1,200 machine guns into Syria.

More recent arrests have been made in Latin America, where countries like Argentina, Peru, and Paraguay are dealing with an enhanced Hezbollah presence.

This important legislation will help us build a plan to leverage our allies, to leverage the Organization of American States and other assets so that we recognize the threat that Hezbollah and other terrorist organizations pose and so that we meet that threat head-on.

Mr. KILDEE. Mr. Speaker, obviously, as I said, we need a national strategy to combat the financing of transnational criminal organizations.

This legislation requires that such a strategy be put together. It is an issue that crosses virtually every partisan or ideological line. It is an example of legislation that we all can embrace and should support.

Mr. Speaker, I encourage my colleagues to do so, and I yield back the balance of my time.

Mr. BARR. Mr. Speaker, I yield myself the balance of my time.

I, once again, thank my colleagues for supporting this legislation. In particular, I thank the gentleman from Tennessee (Mr. KUSTOFF) for his leadership on this issue.

I would note, also, in addition to all of the many sound and persuasive arguments that have been offered for why we need this legislation, this National Strategy for Combating the Financing of Transnational Criminal Organizations Act, the National Fraternal Order of Police has endorsed this legislation, and I include in the RECORD their letter.

NATIONAL FRATERNAL  
ORDER OF POLICE,

Washington, DC, February 15, 2018.

Hon. PAUL D. RYAN,  
Speaker of the House, House of Representatives,  
Washington, DC.

Hon. KEVIN O. MCCARTHY,  
Majority Leader, House of Representatives,  
Washington, DC.

Hon. NANCY P. PELOSI,  
Minority Leader, House of Representatives,  
Washington, DC.

Hon. STENY H. HOYER,  
Minority Whip, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER AND REPRESENTATIVES MCCARTHY, PELOSI, AND HOYER: I am writing on behalf of the members of the Fraternal Order of Police to advise you of our support for H.R. 4768, the "National Strategy for Combatting the Financing of Transnational Criminal Organizations Act."

The Office of National Drug Control Policy was established to set out our strategy in

combatting our nation's drug problem. Similarly, the Office of Community Oriented Policing Services has served as the cornerstone for our nation's crime-fighting efforts for more than two decades. With the growing threat posed by transnational criminal organizations, it is important that we adopt a comprehensive national approach.

President Donald J. Trump took the first step by issuing Executive Order #13773, the Enforcing Federal Law with Respect to Transnational Criminal Organizations and Preventing International Trafficking a year ago. The Threat Mitigation Working Group was set up to bring Federal agencies together a common goal of investigating, prosecuting and dismantling transnational gangs.

This bill would codify part of this Executive Order by developing a national strategy for combatting transnational criminal organizations. We need to attack their ability to profit from unlawful activity—whether it is money laundering, bulk cash smuggling, shell companies or digital currencies. Simply put, until we can stop the flow of criminal profits to these organized, unlawful enterprises, they will continue to survive no matter how many individuals we arrest and prosecute.

On behalf of the more than 335,000 members of the Fraternal Order of Police, we believe this bill will make our country safe from these transnational criminal organizations. If I can provide any additional information, please do not hesitate to contact me or my Senior Advisor, Jim Pasco, in my Washington office.

Sincerely,

CHUCK CANTERBURY,  
National President.

Mr. BARR. Mr. Speaker, as a Member of Congress representing a State that has been ravaged by heroin and opioid addiction, I can't think of a more important thing for this Congress to do than to develop a national strategy for combating these transnational gangs that are preying on our communities.

Once again, I commend Mr. KUSTOFF for his leadership in this area and in this effort and in this fight. I applaud my colleagues for supporting the legislation on both sides of the aisle.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PALMER). The question is on the motion offered by the gentleman from Kentucky (Mr. BARR) that the House suspend the rules and pass the bill, H.R. 4768, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### REPACK AIRWAVES YIELDING BETTER ACCESS FOR USERS OF MODERN SERVICES ACT OF 2018

Mr. WALDEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4986) to amend the Communications Act of 1934 to reauthorize appropriations for the Federal Communications Commission, to provide for certain procedural changes to the rules of the Commission to maximize opportunities for public participation and efficient decisionmaking, and for other purposes, as amended.

The Clerk read the title of the bill.  
The text of the bill is as follows:

H.R. 4986

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Repack Airwaves Yielding Better Access for Users of Modern Services Act of 2018” or the “RAY BAUM’S Act of 2018”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.  
Sec. 2. Commission defined.

**TITLE I—FCC REAUTHORIZATION**

Sec. 101. Authorization of appropriations.  
Sec. 102. Application and regulatory fees.  
Sec. 103. Effective date.

**TITLE II—APPLICATION OF ANTIDEFICIENCY ACT**

Sec. 201. Application of Antideficiency Act to Universal Service Program.

**TITLE III—SECURING ACCESS TO NETWORKS IN DISASTERS**

Sec. 301. Study on network resiliency.  
Sec. 302. Access to essential service providers during federally declared emergencies.  
Sec. 303. Definitions.

**TITLE IV—FCC CONSOLIDATED REPORTING**

Sec. 401. Communications marketplace report.  
Sec. 402. Consolidation of redundant reports; conforming amendments.  
Sec. 403. Effect on authority.  
Sec. 404. Other reports.

**TITLE V—ADDITIONAL PROVISIONS**

Sec. 501. Independent Inspector General for FCC.  
Sec. 502. Authority of Chief Information Officer.  
Sec. 503. Spoofing prevention.  
Sec. 504. Report on promoting broadband Internet access service for veterans.  
Sec. 505. Methodology for collection of mobile service coverage data.  
Sec. 506. Accuracy of dispatchable location for 9-1-1 calls.  
Sec. 507. NTIA study on interagency process following cybersecurity incidents.  
Sec. 508. Tribal digital access.  
Sec. 509. Terms of office and vacancies.  
Sec. 510. Submission of copy of certain documents to Congress.  
Sec. 511. Joint board recommendation.  
Sec. 512. Disclaimer for press releases regarding notices of apparent liability.  
Sec. 513. Reports related to spectrum auctions.

**TITLE VI—VIEWER PROTECTION**

Sec. 601. Reserve source for payment of TV broadcaster relocation costs.  
Sec. 602. Payment of relocation costs of television translator stations and low power television stations.  
Sec. 603. Payment of relocation costs of FM broadcast stations.  
Sec. 604. Consumer education payment.  
Sec. 605. Implementation and enforcement.  
Sec. 606. Rule of construction.

**TITLE VII—MOBILE NOW**

Sec. 701. Short title.  
Sec. 702. Definitions.  
Sec. 703. Identifying 255 megahertz.  
Sec. 704. Millimeter wave spectrum.  
Sec. 705. 3 gigahertz spectrum.  
Sec. 706. Broadband infrastructure deployment.

Sec. 707. Reallocation incentives.  
Sec. 708. Bidirectional sharing study.  
Sec. 709. Unlicensed services in guard bands.  
Sec. 710. Amendments to the Spectrum Pipeline Act of 2015.  
Sec. 711. GAO assessment of unlicensed spectrum and Wi-Fi use in low-income neighborhoods.  
Sec. 712. Rulemaking related to partitioning or disaggregating licenses.  
Sec. 713. Unlicensed spectrum policy.  
Sec. 714. National plan for unlicensed spectrum.  
Sec. 715. Spectrum challenge prize.  
Sec. 716. Wireless telecommunications tax and fee collection fairness.  
Sec. 717. Rules of construction.  
Sec. 718. Relationship to Middle Class Tax Relief and Job Creation Act of 2012.  
Sec. 719. No additional funds authorized.

**SEC. 2. COMMISSION DEFINED.**

In this Act, the term “Commission” means the Federal Communications Commission.

**TITLE I—FCC REAUTHORIZATION**

**SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

(a) **IN GENERAL.**—Section 6 of the Communications Act of 1934 (47 U.S.C. 156) is amended to read as follows:

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

“(a) **AUTHORIZATION.**—There are authorized to be appropriated to the Commission to carry out the functions of the Commission \$333,118,000 for fiscal year 2019 and \$339,610,000 for fiscal year 2020.

“(b) **OFFSETTING COLLECTIONS.**—The sum appropriated in any fiscal year to carry out the activities described in subsection (a), to the extent and in the amounts provided for in Appropriations Acts, shall be derived from fees authorized by section 9.”

(b) **DEPOSITS OF BIDDERS TO BE DEPOSITED IN TREASURY.**—Section 309(j)(8)(C) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(C)) is amended—

(1) in the first sentence, by striking “an interest bearing account” and all that follows and inserting “the Treasury.”;

(2) in clause (i)—

(A) by striking “paid to the Treasury” and inserting “deposited in the general fund of the Treasury (where such deposits shall be used for the sole purpose of deficit reduction)”;

(B) by striking the semicolon and inserting “; and”;

(3) in clause (ii), by striking “; and” and inserting “, and payments representing the return of such deposits shall not be subject to administrative offset under section 3716(c) of title 31, United States Code.”;

(4) by striking clause (iii).

(c) **ELIMINATION OF DUPLICATIVE AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—Section 710 of the Telecommunications Act of 1996 (Public Law 104-104) is repealed.

(2) **CONFORMING AMENDMENT.**—The table of contents in section 2 of such Act is amended by striking the item relating to section 710.

(d) **TRANSFER OF FUNDS.**—On the effective date described in section 103, any amounts in the account providing appropriations to carry out the functions of the Commission that were collected in excess of the amounts provided for in Appropriations Acts in any fiscal year prior to such date shall be transferred to the general fund of the Treasury of the United States for the sole purpose of deficit reduction.

**SEC. 102. APPLICATION AND REGULATORY FEES.**

(a) **APPLICATION FEES.**—Section 8 of the Communications Act of 1934 (47 U.S.C. 158) is amended to read as follows:

**“SEC. 8. APPLICATION FEES.**

“(a) **GENERAL AUTHORITY; ESTABLISHMENT OF SCHEDULE.**—The Commission shall assess

and collect application fees at such rates as the Commission shall establish in a schedule of application fees to recover the costs of the Commission to process applications.

“(b) **ADJUSTMENT OF SCHEDULE.**—

“(1) **IN GENERAL.**—In every even-numbered year, the Commission shall review the schedule of application fees established under this section and, except as provided in paragraph (2), set a new amount for each fee in the schedule that is equal to the amount of the fee on the date when the fee was established or the date when the fee was last amended under subsection (c), whichever is later—

“(A) increased or decreased by the percentage change in the Consumer Price Index during the period beginning on such date and ending on the date of the review; and

“(B) rounded to the nearest \$5 increment.

“(2) **THRESHOLD FOR ADJUSTMENT.**—The Commission may not adjust a fee under paragraph (1) if—

“(A) in the case of a fee the current amount of which is less than \$200, the adjustment would result in a change in the current amount of less than \$10; or

“(B) in the case of a fee the current amount of which is \$200 or more, the adjustment would result in a change in the current amount of less than 5 percent.

“(3) **CURRENT AMOUNT DEFINED.**—In paragraph (2), the term ‘current amount’ means, with respect to a fee, the amount of the fee on the date when the fee was established, the date when the fee was last adjusted under paragraph (1), or the date when the fee was last amended under subsection (c), whichever is latest.

“(c) **AMENDMENTS TO SCHEDULE.**—In addition to the adjustments required by subsection (b), the Commission shall by rule amend the schedule of application fees established under this section if the Commission determines that the schedule requires amendment—

“(1) so that such fees reflect increases or decreases in the costs of processing applications at the Commission; or

“(2) so that such schedule reflects the consolidation or addition of new categories of applications.

“(d) **EXCEPTIONS.**—

“(1) **PARTIES TO WHICH FEES ARE NOT APPLICABLE.**—The application fees established under this section shall not be applicable to—

“(A) a governmental entity;

“(B) a nonprofit entity licensed in the Local Government, Police, Fire, Highway Maintenance, Forestry-Conservation, Public Safety, or Special Emergency Radio radio services; or

“(C) a noncommercial radio station or noncommercial television station.

“(2) **COST OF COLLECTION.**—If, in the judgment of the Commission, the cost of collecting an application fee established under this section would exceed the amount collected, the Commission may by rule eliminate such fee.

“(e) **DEPOSIT OF COLLECTIONS.**—Moneys received from application fees established under this section shall be deposited in the general fund of the Treasury.”

(b) **REGULATORY FEES.**—Section 9 of the Communications Act of 1934 (47 U.S.C. 159) is amended to read as follows:

**“SEC. 9. REGULATORY FEES.**

“(a) **GENERAL AUTHORITY.**—The Commission shall assess and collect regulatory fees to recover the costs of carrying out the activities described in section 6(a) only to the extent, and in the total amounts, provided for in Appropriations Acts.

“(b) **ESTABLISHMENT OF SCHEDULE.**—The Commission shall assess and collect regulatory fees at such rates as the Commission

shall establish in a schedule of regulatory fees that will result in the collection, in each fiscal year, of an amount that can reasonably be expected to equal the amounts described in subsection (a) with respect to such fiscal year.

“(c) ADJUSTMENT OF SCHEDULE.—

“(1) IN GENERAL.—For each fiscal year, the Commission shall by rule adjust the schedule of regulatory fees established under this section to—

“(A) reflect unexpected increases or decreases in the number of units subject to the payment of such fees; and

“(B) result in the collection of the amount required by subsection (b).

“(2) ROUNDING.—In making adjustments under this subsection, the Commission may round fees to the nearest \$5 increment.

“(d) AMENDMENTS TO SCHEDULE.—In addition to the adjustments required by subsection (c), the Commission shall by rule amend the schedule of regulatory fees established under this section if the Commission determines that the schedule requires amendment so that such fees reflect the full-time equivalent number of employees within the bureaus and offices of the Commission, adjusted to take into account factors that are reasonably related to the benefits provided to the payor of the fee by the Commission’s activities. In making an amendment under this subsection, the Commission may not change the total amount of regulatory fees required by subsection (b) to be collected in a fiscal year.

“(e) EXCEPTIONS.—

“(1) PARTIES TO WHICH FEES ARE NOT APPLICABLE.—The regulatory fees established under this section shall not be applicable to—

“(A) a governmental entity or nonprofit entity;

“(B) an amateur radio operator licensee under part 97 of the Commission’s rules (47 C.F.R. part 97); or

“(C) a noncommercial radio station or noncommercial television station.

“(2) COST OF COLLECTION.—If, in the judgment of the Commission, the cost of collecting a regulatory fee established under this section from a party would exceed the amount collected from such party, the Commission may exempt such party from paying such fee.

“(f) DEPOSIT OF COLLECTIONS.—

“(1) IN GENERAL.—Amounts received from fees authorized by this section shall be deposited as an offsetting collection in, and credited to, the account through which funds are made available to carry out the activities described in section 6(a).

“(2) DEPOSIT OF EXCESS COLLECTIONS.—Any regulatory fees collected in excess of the total amount of fees provided for in Appropriations Acts for a fiscal year shall be deposited in the general fund of the Treasury of the United States for the sole purpose of deficit reduction.”

(c) PROVISIONS APPLICABLE TO APPLICATION AND REGULATORY FEES.—Title I of the Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended by inserting after section 9 the following:

“SEC. 9A. PROVISIONS APPLICABLE TO APPLICATION AND REGULATORY FEES.

“(a) JUDICIAL REVIEW PROHIBITED.—Any adjustment or amendment to a schedule of fees under subsection (b) or (c) of section 8 or subsection (c) or (d) of section 9 is not subject to judicial review.

“(b) NOTICE TO CONGRESS.—The Commission shall transmit to Congress notification—

“(1) of any adjustment under section 8(b) or 9(c) immediately upon the adoption of such adjustment; and

“(2) of any amendment under section 8(c) or 9(d) not later than 90 days before the effective date of such amendment.

“(c) ENFORCEMENT.—

“(1) PENALTIES FOR LATE PAYMENT.—The Commission shall by rule prescribe an additional penalty for late payment of fees under section 8 or 9. Such additional penalty shall be 25 percent of the amount of the fee that was not paid in a timely manner.

“(2) INTEREST ON UNPAID FEES AND PENALTIES.—The Commission shall charge interest, at a rate determined under section 3717 of title 31, United States Code, on a fee under section 8 or 9 or an additional penalty under this subsection that is not paid in a timely manner. Such section 3717 shall not otherwise apply with respect to such a fee or penalty.

“(3) DISMISSAL OF APPLICATIONS OR FILINGS.—The Commission may dismiss any application or other filing for failure to pay in a timely manner any fee under section 8 or 9 or any interest or additional penalty under this subsection.

“(4) REVOCATIONS.—

“(A) IN GENERAL.—In addition to or in lieu of the penalties and dismissals authorized by this subsection, the Commission may revoke any instrument of authorization held by any licensee that has not paid in a timely manner a regulatory fee assessed under section 9 or any related interest or penalty.

“(B) NOTICE.—Revocation action may be taken by the Commission under this paragraph after notice of the Commission’s intent to take such action is sent to the licensee by registered mail, return receipt requested, at the licensee’s last known address. The notice shall provide the licensee at least 30 days to either pay the fee, interest, and any penalty or show cause why the fee, interest, or penalty does not apply to the licensee or should otherwise be waived or payment deferred.

“(C) HEARING.—

“(i) GENERALLY NOT REQUIRED.—A hearing is not required under this paragraph unless the licensee’s response presents a substantial and material question of fact.

“(ii) EVIDENCE AND BURDENS.—In any case where a hearing is conducted under this paragraph, the hearing shall be based on written evidence only, and the burden of proceeding with the introduction of evidence and the burden of proof shall be on the licensee.

“(iii) COSTS.—Unless the licensee substantially prevails in the hearing, the Commission may assess the licensee for the costs of such hearing.

“(D) OPPORTUNITY TO PAY PRIOR TO REVOCATION.—Any Commission order adopted under this paragraph shall determine the amount due, if any, and provide the licensee with at least 30 days to pay that amount or have its authorization revoked.

“(E) FINALITY.—No order of revocation under this paragraph shall become final until the licensee has exhausted its right to judicial review of such order under section 402(b)(5).

“(d) WAIVER, REDUCTION, AND DEFERMENT.—The Commission may waive, reduce, or defer payment of a fee under section 8 or 9 or an interest charge or penalty under this section in any specific instance for good cause shown, where such action would promote the public interest.

“(e) PAYMENT RULES.—The Commission shall by rule permit payment—

“(1) in the case of fees under section 8 or 9 in large amounts, by installments; and

“(2) in the case of fees under section 8 or 9 in small amounts, in advance for a number of years not to exceed the term of the license held by the payor.

“(f) ACCOUNTING SYSTEM.—The Commission shall develop accounting systems necessary to make the amendments authorized by sections 8(c) and 9(d).”

(d) TRANSITIONAL RULES.—

(1) APPLICATION FEES.—An application fee established under section 8 of the Communications Act of 1934, as such section is in effect on the day before the effective date described in section 103 of this Act, shall remain in effect under section 8 of the Communications Act of 1934, as amended by subsection (a) of this section, until such time as the Commission adjusts or amends such fee under subsection (b) or (c) of such section 8, as so amended.

(2) REGULATORY FEES.—A regulatory fee established under section 9 of the Communications Act of 1934, as such section is in effect on the day before the effective date described in section 103 of this Act, shall remain in effect under section 9 of the Communications Act of 1934, as amended by subsection (b) of this section, until such time as the Commission adjusts or amends such fee under subsection (c) or (d) of such section 9, as so amended.

(e) RULEMAKING TO AMEND SCHEDULE OF REGULATORY FEES.—

(1) IN GENERAL.—Not later than 1 year after the effective date described in section 103, the Commission shall complete a rulemaking proceeding under subsection (d) of section 9 of the Communications Act of 1934, as amended by subsection (b) of this section.

(2) REPORT TO CONGRESS.—If the Commission has not completed the rulemaking proceeding required by paragraph (1) by the date that is 6 months after the effective date described in section 103, the Commission shall submit to Congress a report on the progress of such rulemaking proceeding.

SEC. 103. EFFECTIVE DATE.

This title and the amendments made by this title shall take effect on October 1, 2018.

TITLE II—APPLICATION OF ANTIDEFICIENCY ACT

SEC. 201. APPLICATION OF ANTIDEFICIENCY ACT TO UNIVERSAL SERVICE PROGRAM.

Section 302 of Public Law 108–494 (118 Stat. 3998) is amended by striking “December 31, 2018” each place it appears and inserting “December 31, 2019”.

TITLE III—SECURING ACCESS TO NETWORKS IN DISASTERS

SEC. 301. STUDY ON NETWORK RESILIENCY.

Not later than 36 months after the date of enactment of this Act, the Commission shall submit to Congress, and make publicly available on the Commission’s website, a study on the public safety benefits and technical feasibility and cost of—

(1) making telecommunications service provider-owned WiFi access points, and other communications technologies operating on unlicensed spectrum, available to the general public for access to 9–1–1 services, without requiring any login credentials, during times of emergency when mobile service is unavailable;

(2) the provision by non-telecommunications service provider-owned WiFi access points of public access to 9–1–1 services during times of emergency when mobile service is unavailable; and

(3) other alternative means of providing the public with access to 9–1–1 services during times of emergency when mobile service is unavailable.

SEC. 302. ACCESS TO ESSENTIAL SERVICE PROVIDERS DURING FEDERALLY DECLARED EMERGENCIES.

Section 427(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189e(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking “telecommunications service” and inserting “wireline or mobile telephone service, Internet access service, radio or television broadcasting, cable service, or direct broadcast satellite service”;

(B) in subparagraph (E), by striking the semicolon and inserting “; or”; and

(C) by redesignating subparagraphs (A) through (E) as clauses (i) through (v), respectively; and

(2) by striking “(1) provides” and inserting “(1)(A) provides”.

#### SEC. 303. DEFINITIONS.

As used in this title—

(1) the term “mobile service” means commercial mobile service (as defined in section 332 of the Communications Act of 1934 (47 U.S.C. 332)) or commercial mobile data service (as defined in section 6001 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401));

(2) the term “WiFi access point” means wireless Internet access using the standard designated as 802.11 or any variant thereof; and

(3) the term “times of emergency” means either an emergency as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122), or an emergency as declared by the governor of a State or territory of the United States.

### TITLE IV—FCC CONSOLIDATED REPORTING

#### SEC. 401. COMMUNICATIONS MARKETPLACE REPORT.

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

#### “SEC. 13. COMMUNICATIONS MARKETPLACE REPORT.

“(a) IN GENERAL.—In the last quarter of every even-numbered year, the Commission shall publish on its website and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the state of the telecommunications marketplace.

“(b) CONTENTS.—Each report required by subsection (a) shall—

“(1) assess the state of competition in the communications marketplace, including competition to deliver voice, video, audio, and data services among providers of telecommunications, providers of commercial mobile service (as defined in section 332), multichannel video programming distributors (as defined in section 602), broadcast stations, providers of satellite communications, Internet service providers, and other providers of communications services;

“(2) assess the state of deployment of communications capabilities, including advanced telecommunications capability (as defined in section 706 of the Telecommunications Act of 1996 (47 U.S.C. 1302)), regardless of the technology used for such deployment;

“(3) assess whether laws, regulations, regulatory practices (whether those of the Federal Government, States, political subdivisions of States, Indian tribes or tribal organizations (as such terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), or foreign governments), or demonstrated marketplace practices pose a barrier to competitive entry into the communications marketplace or to the competitive expansion of existing providers of communications services;

“(4) describe the agenda of the Commission for the next 2-year period for addressing the challenges and opportunities in the communications marketplace that were identified through the assessments under paragraphs (1) through (3); and

“(5) describe the actions that the Commission has taken in pursuit of the agenda de-

scribed pursuant to paragraph (4) in the previous report submitted under this section.

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

“(d) SPECIAL REQUIREMENTS.—

“(1) ASSESSING COMPETITION.—In assessing the state of competition under subsection (b)(1), the Commission shall consider all forms of competition, including the effect of intermodal competition, facilities-based competition, and competition from new and emergent communications services, including the provision of content and communications using the Internet.

“(2) ASSESSING DEPLOYMENT.—In assessing the state of deployment under subsection (b)(2), the Commission shall compile a list of geographical areas that are not served by any provider of advanced telecommunications capability.

“(3) CONSIDERING SMALL BUSINESSES.—In assessing the state of competition under subsection (b)(1) and regulatory barriers under subsection (b)(3), the Commission shall consider market entry barriers for entrepreneurs and other small businesses in the communications marketplace in accordance with the national policy under section 257(b).”.

#### SEC. 402. CONSOLIDATION OF REDUNDANT REPORTS; CONFORMING AMENDMENTS.

(a) ORBIT ACT REPORT.—Section 646 of the Communications Satellite Act of 1962 (47 U.S.C. 765e; 114 Stat. 57) is repealed.

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

(c) INTERNATIONAL BROADBAND DATA REPORT.—Section 103(b)(1) of the Broadband Data Improvement Act (47 U.S.C. 1303(b)(1)) is amended by striking “the assessment and report” and all that follows through “Federal Communications Commission” and inserting “its report under section 13 of the Communications Act of 1934, the Federal Communications Commission”.

(d) STATUS OF COMPETITION IN THE MARKET FOR THE DELIVERY OF VIDEO PROGRAMMING REPORT.—Section 628 of the Communications Act of 1934 (47 U.S.C. 548) is amended—

(1) by striking subsection (g);

(2) by redesignating subsection (j) as subsection (g); and

(3) by transferring subsection (g) (as redesignated) so that it appears after subsection (f).

(e) REPORT ON CABLE INDUSTRY PRICES.—Section 623(k) of the Communications Act of 1934 (47 U.S.C. 543(k)) is amended—

(1) in paragraph (1), by striking “annually publish” and inserting “publish with its report under section 13”; and

(2) in the heading of paragraph (2), by striking “ANNUAL”.

(f) TRIENNIAL REPORT IDENTIFYING AND ELIMINATING MARKET ENTRY BARRIERS FOR ENTREPRENEURS AND OTHER SMALL BUSINESSES.—Section 257 of the Communications Act of 1934 (47 U.S.C. 257) is amended by striking subsection (c).

(g) STATE OF COMPETITIVE MARKET CONDITIONS WITH RESPECT TO COMMERCIAL MOBILE RADIO SERVICES.—Section 332(c)(1)(C) of the Communications Act of 1934 (47 U.S.C. 332(c)(1)(C)) is amended by striking the first and second sentences.

(h) PREVIOUSLY ELIMINATED ANNUAL REPORT.—

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

(A) by striking subsection (k); and

(B) by redesignating subsections (l) through (o) as subsections (k) through (n), respectively.

(2) CONFORMING AMENDMENT.—Section 309(j)(8)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(B)) is amended by striking the last sentence.

(i) ADDITIONAL OUTDATED REPORTS.—The Communications Act of 1934 is further amended—

(1) in section 4—

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

(B) in subsection (g), by striking paragraph (2);

(2) in section 215—

(A) by striking subsection (b); and

(B) by redesignating subsection (c) as subsection (b);

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

(4) in section 309(j)—

(A) by striking paragraph (12); and

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

(5) in section 331(b), by striking the last sentence;

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

“(4) REPORT.—The Commission shall annually advise the Congress on the amounts collected pursuant to the program required by this subsection.”;

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

(8) in section 396—

(A) by striking subsection (i);

(B) in subsection (k)—

(i) in paragraph (1), by striking subparagraph (F); and

(ii) in paragraph (3)(B)(iii), by striking subclause (V);

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

(D) by striking subsection (m);

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

(10) in section 624A(b)(1)—

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

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

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

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

#### SEC. 403. EFFECT ON AUTHORITY.

Nothing in this title or the amendments made by this title shall be construed to expand or contract the authority of the Commission.

#### SEC. 404. OTHER REPORTS.

Nothing in this title or the amendments made by this title shall be construed to prohibit or otherwise prevent the Commission from producing any additional reports otherwise within the authority of the Commission.

### TITLE V—ADDITIONAL PROVISIONS

#### SEC. 501. INDEPENDENT INSPECTOR GENERAL FOR FCC.

(a) AMENDMENTS.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 8G(a)(2), by striking “the Federal Communications Commission,”; and

(2) in section 12—

(A) in paragraph (1), by inserting “, the Federal Communications Commission,” after “the Chairman of the Nuclear Regulatory Commission”; and

(B) in paragraph (2), by inserting “the Federal Communications Commission,” after “the Environmental Protection Agency.”

(b) **TRANSITION RULE.**—An individual serving as Inspector General of the Commission on the date of the enactment of this Act pursuant to an appointment made under section 8G of the Inspector General Act of 1978 (5 U.S.C. App.)—

(1) may continue so serving until the President makes an appointment under section 3(a) of such Act with respect to the Commission consistent with the amendments made by subsection (a); and

(2) shall, while serving under paragraph (1), remain subject to the provisions of section 8G of such Act which, immediately before the date of the enactment of this Act, applied with respect to the Inspector General of the Commission and suffer no reduction in pay.

**SEC. 502. AUTHORITY OF CHIEF INFORMATION OFFICER.**

(a) **IN GENERAL.**—The Commission shall ensure that the Chief Information Officer of the Commission has a significant role in—

(1) the decision-making process for annual and multi-year planning, programming, budgeting, and execution decisions, related reporting requirements, and reports related to information technology;

(2) the management, governance, and oversight processes related to information technology; and

(3) the hiring of personnel with information technology responsibilities.

(b) **CIO APPROVAL.**—The Chief Information Officer of the Commission, in consultation with the Chief Financial Officer of the Commission and budget officials, shall specify and approve the allocation of amounts appropriated to the Commission for information technology, consistent with the provisions of appropriations Acts, budget guidelines, and recommendations from the Director of the Office of Management and Budget.

**SEC. 503. SPOOFING PREVENTION.**

(a) **EXPANDING AND CLARIFYING PROHIBITION ON MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.**—

(1) **COMMUNICATIONS FROM OUTSIDE THE UNITED STATES.**—Section 227(e)(1) of the Communications Act of 1934 (47 U.S.C. 227(e)(1)) is amended by striking “in connection with any telecommunications service or IP-enabled voice service” and inserting “or any person outside the United States if the recipient is within the United States, in connection with any voice service or text messaging service”.

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

(A) in subparagraph (A), by striking “telecommunications service or IP-enabled voice service” and inserting “voice service or a text message sent using a text messaging service”;

(B) in the first sentence of subparagraph (B), by striking “telecommunications service or IP-enabled voice service” and inserting “voice service or a text message sent using a text messaging service”; and

(C) by striking subparagraph (C) and inserting the following:

“(C) **TEXT MESSAGE.**—The term ‘text message’—

“(i) means a message consisting of text, images, sounds, or other information that is transmitted to or from a device that is identified as the receiving or transmitting device by means of a 10-digit telephone number or N11 service code;

“(ii) includes a short message service (commonly referred to as ‘SMS’) message and a multimedia message service (commonly referred to as ‘MMS’) message; and

“(iii) does not include—

“(I) a real-time, two-way voice or video communication; or

“(II) a message sent over an IP-enabled messaging service to another user of the same messaging service, except a message described in clause (ii).

(D) **TEXT MESSAGING SERVICE.**—The term ‘text messaging service’ means a service that enables the transmission or receipt of a text message, including a service provided as part of or in connection with a voice service.

(E) **VOICE SERVICE.**—The term ‘voice service’—

“(i) means any service that is interconnected with the public switched telephone network and that furnishes voice communications to an end user using resources from the North American Numbering Plan or any successor to the North American Numbering Plan adopted by the Commission under section 251(e)(1); and

“(ii) includes transmissions from a telephone facsimile machine, computer, or other device to a telephone facsimile machine.”

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

(4) **REGULATIONS.**—

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

(B) **DEADLINE.**—The Commission shall prescribe regulations to implement the amendments made by this subsection not later than 18 months after the date of enactment of this Act.

(5) **EFFECTIVE DATE.**—The amendments made by this subsection shall take effect on the date that is 6 months after the date on which the Commission prescribes regulations under paragraph (4).

(b) **CONSUMER EDUCATION MATERIALS ON HOW TO AVOID SCAMS THAT RELY UPON MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.**—

(1) **DEVELOPMENT OF MATERIALS.**—Not later than 1 year after the date of enactment of this Act, the Commission, in coordination with the Federal Trade Commission, shall develop consumer education materials that provide information about—

(A) ways for consumers to identify scams and other fraudulent activity that rely upon the use of misleading or inaccurate caller identification information; and

(B) existing technologies, if any, that a consumer can use to protect against such scams and other fraudulent activity.

(2) **CONTENTS.**—In developing the consumer education materials under paragraph (1), the Commission shall—

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

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

(ii) details on how consumers can access and use the technologies; and

(B) provide other information that may help consumers identify and avoid scams and other fraudulent activity that rely upon the use of misleading or inaccurate caller identification information.

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

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

(c) **GAO REPORT ON COMBATING THE FRAUDULENT PROVISION OF MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.**—

(1) **IN GENERAL.**—The Comptroller General of the United States shall conduct a study of the actions the Commission and the Federal Trade Commission have taken to combat the fraudulent provision of misleading or inaccurate caller identification information, and the additional measures that could be taken to combat such activity.

(2) **REQUIRED CONSIDERATIONS.**—In conducting the study under paragraph (1), the Comptroller General shall examine—

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

(B) previous and current enforcement actions by the Commission and the Federal Trade Commission to combat the practices prohibited by section 227(e)(1) of the Communications Act of 1934 (47 U.S.C. 227(e)(1));

(C) current efforts by industry groups and other entities to develop technical standards to deter or prevent the fraudulent provision of misleading or inaccurate caller identification information, and how such standards may help combat the current and future provision of misleading or inaccurate caller identification information; and

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

(3) **REPORT.**—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of the study under paragraph (1), including any recommendations regarding combating the fraudulent provision of misleading or inaccurate caller identification information.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section, or the amendments made by this section, shall be construed to modify, limit, or otherwise affect any rule or order adopted by the Commission in connection with—

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

(2) the CAN-SPAM Act of 2003 (15 U.S.C. 7701 et seq.).

**SEC. 504. REPORT ON PROMOTING BROADBAND INTERNET ACCESS SERVICE FOR VETERANS.**

(a) **VETERAN DEFINED.**—In this section, the term “veteran” has the meaning given the term in section 101 of title 38, United States Code.

(b) **REPORT REQUIRED.**—Not later than 1 year after the date of the enactment of this Act, the Commission shall submit to Congress a report on promoting broadband Internet access service for veterans, in particular low-income veterans and veterans residing in rural areas. In such report, the Commission shall—

(1) examine such access and how to promote such access; and

(2) provide findings and recommendations for Congress with respect to such access and how to promote such access.

(c) **PUBLIC NOTICE AND OPPORTUNITY TO COMMENT.**—In preparing the report required

by subsection (b), the Commission shall provide the public with notice and an opportunity to comment on broadband Internet access service for veterans, in particular low-income veterans and veterans residing in rural areas, and how to promote such access.

**SEC. 505. METHODOLOGY FOR COLLECTION OF MOBILE SERVICE COVERAGE DATA.**

(a) **DEFINITIONS.**—In this section—

(1) the term “commercial mobile data service” has the meaning given the term in section 6001 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401);

(2) the term “commercial mobile service” has the meaning given the term in section 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d));

(3) the term “coverage data” means, if commercial mobile service or commercial mobile data service is available, general information about the service, which may include available speed tiers, radio frequency signal levels, and network and performance characteristics; and

(4) the term “Universal Service program” means the universal service support mechanisms established under section 254 of the Communications Act of 1934 (47 U.S.C. 254) and the regulations issued under that section.

(b) **METHODOLOGY ESTABLISHED.**—Not later than 180 days after the conclusion of the Mobility Fund Phase II Auction, the Commission shall promulgate regulations to establish a methodology that shall apply to the collection of coverage data by the Commission for the purposes of—

(1) the Universal Service program; or

(2) any other similar program.

(c) **REQUIREMENTS.**—The methodology established under subsection (b) shall—

(1) contain standard definitions for different available technologies such as 2G, 3G, 4G, and 4G LTE;

(2) enhance the consistency and robustness of how the data are collected by different parties;

(3) improve the validity and reliability of coverage data; and

(4) increase the efficiency of coverage data collection.

**SEC. 506. ACCURACY OF DISPATCHABLE LOCATION FOR 9-1-1 CALLS.**

(a) **PROCEEDING REQUIRED.**—Not later than 18 months after the date of the enactment of this Act, the Commission shall conclude a proceeding to consider adopting rules to ensure that the dispatchable location is conveyed with a 9-1-1 call, regardless of the technological platform used and including with calls from multi-line telephone systems (as defined in section 6502 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1471)).

(b) **RELATIONSHIP TO OTHER PROCEEDINGS.**—In conducting the proceeding required by subsection (a), the Commission may consider information and conclusions from other Commission proceedings regarding the accuracy of the dispatchable location for a 9-1-1 call, but nothing in this section shall be construed to require the Commission to reconsider any information or conclusion from a proceeding regarding the accuracy of the dispatchable location for a 9-1-1 call in which the Commission has adopted rules or issued an order before the date of the enactment of this Act.

(c) **DEFINITIONS.**—In this section:

(1) **9-1-1 CALL.**—The term “9-1-1 call” means a voice call that is placed, or a message that is sent by other means of communication, to a public safety answering point (as defined in section 222 of the Communications Act of 1934 (47 U.S.C. 222)) for the purpose of requesting emergency services.

(2) **DISPATCHABLE LOCATION.**—The term “dispatchable location” means the street ad-

dress of the calling party, and additional information such as room number, floor number, or similar information necessary to adequately identify the location of the calling party.

**SEC. 507. NTIA STUDY ON INTERAGENCY PROCEEDINGS FOLLOWING CYBERSECURITY INCIDENTS.**

(a) **IN GENERAL.**—The Assistant Secretary of Commerce for Communications and Information shall complete a study on how the National Telecommunications and Information Administration can best coordinate the interagency process following cybersecurity incidents.

(b) **REPORT TO CONGRESS.**—Not later than 18 months after the date of the enactment of this Act, the Assistant Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the findings and recommendations of the study conducted under subsection (a).

**SEC. 508. TRIBAL DIGITAL ACCESS.**

(a) **TRIBAL BROADBAND DATA REPORT.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, the Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report evaluating broadband coverage in Indian country (as defined in section 1151 of title 18, United States Code) and on land held by a Native Corporation pursuant to the Alaska Native Claims Settlement Act.

(2) **REQUIRED ASSESSMENTS.**—The report required by paragraph (1) shall include the following:

(A) An assessment of areas of Indian country (as so defined) and land held by a Native Corporation pursuant to the Alaska Native Claims Settlement Act that have adequate broadband coverage.

(B) An assessment of unserved areas of Indian country (as so defined) and land held by a Native Corporation pursuant to the Alaska Native Claims Settlement Act.

(b) **TRIBAL BROADBAND PROCEEDING.**—Not later than 30 months after the date of the enactment of this Act, the Commission shall complete a proceeding to address the unserved areas identified in the report under subsection (a).

**SEC. 509. TERMS OF OFFICE AND VACANCIES.**

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

“(c)(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 fixed term of office of the commissioner until a successor is appointed and has been confirmed and taken the oath of office; and

“(C) may not continue to serve after the expiration of the session of Congress that begins after the expiration of the fixed term of office of the commissioner.

“(2) Any person chosen to fill a vacancy in the Commission—

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

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

“(C) may not continue to serve after the expiration of the session of Congress that begins after the expiration of the fixed term of office of the commissioner that the person succeeds.

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

**SEC. 510. SUBMISSION OF COPY OF CERTAIN DOCUMENTS TO CONGRESS.**

Section 4 of the Communications Act of 1934, as amended by section 402(h), is further amended by adding at the end the following:

“(o) **BUDGET ESTIMATES AND REQUESTS; LEGISLATIVE RECOMMENDATIONS, TESTIMONY, AND COMMENTS ON LEGISLATION; SEMI-ANNUAL REPORTS.**—

“(1) **BUDGET ESTIMATES AND REQUESTS.**—If the Commission submits any budget estimate or request to the President or the Office of Management and Budget, the Commission shall concurrently transmit a copy of that estimate or request to Congress.

“(2) **LEGISLATIVE RECOMMENDATIONS, TESTIMONY, AND COMMENTS ON LEGISLATION.**—

“(A) **IN GENERAL.**—If the Commission submits any legislative recommendations, testimony, or comments on legislation to the President or the Office of Management and Budget, the Commission shall concurrently transmit a copy thereof to Congress.

“(B) **PROHIBITION.**—No officer or agency of the United States may require the Commission to submit legislative recommendations, testimony, or comments on legislation to any officer or agency of the United States for approval, comments, or review prior to the submission of the recommendations, testimony, or comments to Congress.

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

“(A) **IN GENERAL.**—Notwithstanding section 5(b) of the Inspector General Act of 1978 (5 U.S.C. App.), the Inspector General of the Commission shall concurrently submit each semiannual report required under such section 5(b) to the Commission and to the appropriate committees or subcommittees of Congress.

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

**SEC. 511. JOINT BOARD RECOMMENDATION.**

The Commission may not modify, amend, or change its rules or regulations for universal service support payments to implement the February 27, 2004, recommendations of the Federal-State Joint Board on Universal Service regarding single connection or primary line restrictions on universal service support payments.

**SEC. 512. DISCLAIMER FOR PRESS RELEASES REGARDING NOTICES OF APPARENT LIABILITY.**

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

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

(2) the amount of any forfeiture penalty proposed in a notice of apparent liability represents the maximum penalty that the Commission may impose for the violations alleged in the notice of apparent liability.

**SEC. 513. REPORTS RELATED TO SPECTRUM AUCTIONS.**

(a) **ESTIMATE OF UPCOMING AUCTIONS.**—Section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) is amended by adding at the end the following:

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

“(A) Not later than September 30, 2018, and annually thereafter, the Commission shall

make publicly available an estimate of what systems of competitive bidding authorized under this subsection may be initiated during the upcoming 12-month period.

“(B) The estimate under subparagraph (A) shall, to the extent possible, identify the bands of frequencies the Commission expects to be included in each such system of competitive bidding.”.

(b) AUCTION EXPENDITURE JUSTIFICATION REPORT.—Not later than April 1, 2019, and annually thereafter, the Commission shall provide to the appropriate committees of Congress a report containing a detailed justification for the use of proceeds retained by the Commission under section 309(j)(8)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(B)) for the costs of developing and implementing the program required by section 309(j) of that Act.

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

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

(2) the Committee on Appropriations of the Senate;

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

(4) the Committee on Appropriations of the House of Representatives.

#### TITLE VI—VIEWER PROTECTION

##### SEC. 601. RESERVE SOURCE FOR PAYMENT OF TV BROADCASTER RELOCATION COSTS.

(a) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund to be known as the Broadcast Repack Fund.

(b) AVAILABILITY OF FUNDS.—

(1) IN GENERAL.—If the Commission makes the certification described in paragraph (2), amounts in the Broadcast Repack Fund shall be available to the Commission to make reimbursements pursuant to subsection (b)(4)(A)(i) or (b)(4)(A)(ii) of section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452).

(2) CERTIFICATION.—The certification described in this paragraph is a certification from the Commission to the Secretary of the Treasury that the funds available in the TV Broadcaster Relocation Fund established under subsection (d) of such section are likely to be insufficient to reimburse reasonably incurred costs described in subsection (b)(4)(A)(i) or (b)(4)(A)(ii) of such section.

(3) AVAILABILITY FOR PAYMENTS AFTER APRIL 13, 2020.—Notwithstanding subsection (b)(4)(D) of such section, the Commission may make payments pursuant to subsection (b)(4)(A)(i) or (b)(4)(A)(ii) of such section from the Broadcast Repack Fund after April 13, 2020, if, before making any such payments after such date, the Commission submits to Congress a certification that such payments are necessary to reimburse reasonably incurred costs described in such subsection.

(c) UNUSED FUNDS RESCINDED AND DEPOSITED INTO THE GENERAL FUND OF THE TREASURY.—

(1) RESCISSION AND DEPOSIT.—If any unobligated amounts remain in the Broadcast Repack Fund after the date described in paragraph (2), such amounts shall be rescinded and deposited into the general fund of the Treasury, where such amounts shall be dedicated for the sole purpose of deficit reduction.

(2) DATE DESCRIBED.—The date described in this paragraph is the earlier of—

(A) the date of a certification by the Commission under paragraph (3) that all reimbursements pursuant to subsections (b)(4)(A)(i) and (b)(4)(A)(ii) of such section 6403 have been made; or

(B) July 3, 2022.

(3) CERTIFICATION.—If all reimbursements pursuant to subsections (b)(4)(A)(i) and

(b)(4)(A)(ii) of such section 6403 have been made before July 3, 2022, the Commission shall submit to the Secretary of the Treasury a certification that all such reimbursements have been made.

(d) ADMINISTRATIVE COSTS.—The amount of auction proceeds that the salaries and expenses account of the Commission is required to retain under section 309(j)(8)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(B)), including from the proceeds of the forward auction under section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452), shall be sufficient to cover the administrative costs incurred by the Commission in making any reimbursements out of the Broadcast Repack Fund.

##### SEC. 602. PAYMENT OF RELOCATION COSTS OF TELEVISION TRANSLATOR STATIONS AND LOW POWER TELEVISION STATIONS.

(a) PAYMENT REQUIRED.—

(1) IN GENERAL.—From amounts made available under subsection (b)(2), the Commission shall reimburse costs reasonably incurred by a television translator station or low power television station on or after January 1, 2017, in order for such station to relocate its television service from one channel to another channel or otherwise modify its facility as a result of the reorganization of broadcast television spectrum under subsection (b) of section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452). Only stations that are eligible to file and do file an application in the Commission's Special Displacement Window are eligible to seek reimbursement under this paragraph.

(2) LIMITATION.—The Commission may not make reimbursements under paragraph (1) for lost revenues.

(3) DUPLICATIVE PAYMENTS PROHIBITED.—In the case of a low power television station that has been accorded primary status as a Class A television licensee under section 73.6001(a) of title 47, Code of Federal Regulations—

(A) if the licensee of such station has received reimbursement with respect to such station under subsection (b)(4)(A)(i) of such section 6403 (including from amounts made available under section 601 of this title), or from any other source, such station may not receive reimbursement under paragraph (1); and

(B) if such station has received reimbursement under paragraph (1), the licensee of such station may not receive reimbursement with respect to such station under subsection (b)(4)(A)(i) of such section 6403.

(4) ADDITIONAL LIMITATION.—The Commission may not make reimbursement under paragraph (1) for costs incurred to resolve mutually exclusive applications, including costs incurred in any auction of available channels.

(b) FUNDING.—

(1) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund to be known as the Translator and Low Power Station Relocation Fund.

(2) AVAILABILITY OF FUNDS.—

(A) IN GENERAL.—Amounts in the Translator and Low Power Station Relocation Fund shall be available to the Commission to make payments required by subsection (a)(1).

(B) AVAILABILITY AFTER APRIL 13, 2020.—Amounts in the Translator and Low Power Station Relocation Fund shall not be available to the Commission to make payments required by subsection (a)(1) after April 13, 2020, unless, before making any such payments after such date, the Commission submits to Congress a certification that such payments are necessary to reimburse costs reasonably incurred by a television trans-

lator station or low power television station on or after January 1, 2017, in order for such station to relocate its television service from one channel to another channel or otherwise modify its facility as a result of the reorganization of broadcast television spectrum under subsection (b) of section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452).

(3) UNUSED FUNDS RESCINDED AND DEPOSITED INTO THE GENERAL FUND OF THE TREASURY.—

(A) RESCISSION AND DEPOSIT.—If any unobligated amounts remain in the Translator and Low Power Station Relocation Fund after the date described in subparagraph (B), such amounts shall be rescinded and deposited into the general fund of the Treasury, where such amounts shall be dedicated for the sole purpose of deficit reduction.

(B) DATE DESCRIBED.—The date described in this subparagraph is the earlier of—

(i) the date of a certification by the Commission under subparagraph (C) that all reimbursements pursuant to subsection (a)(1) have been made; or

(ii) July 3, 2023.

(C) CERTIFICATION.—If all reimbursements pursuant to subsection (a)(1) have been made before July 3, 2023, the Commission shall submit to the Secretary of the Treasury a certification that all such reimbursements have been made.

(c) ADMINISTRATIVE COSTS.—The amount of auction proceeds that the salaries and expenses account of the Commission is required to retain under section 309(j)(8)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(B)), including from the proceeds of the forward auction under section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452), shall be sufficient to cover the administrative costs incurred by the Commission in making any reimbursements out of the Translator and Low Power Station Relocation Fund.

(d) DEFINITIONS.—In this section:

(1) LOW POWER TELEVISION STATION.—The term “low power television station” means a low power TV station (as defined in section 74.701 of title 47, Code of Federal Regulations) that was licensed and transmitting for at least 9 of the 12 months prior to April 13, 2017. For purposes of the preceding sentence, the operation of analog and digital companion facilities may be combined.

(2) TELEVISION TRANSLATOR STATION.—The term “television translator station” means a television broadcast translator station (as defined in section 74.701 of title 47, Code of Federal Regulations) that was licensed and transmitting for at least 9 of the 12 months prior to April 13, 2017. For purposes of the preceding sentence, the operation of analog and digital companion facilities may be combined.

##### SEC. 603. PAYMENT OF RELOCATION COSTS OF FM BROADCAST STATIONS.

(a) PAYMENT REQUIRED.—

(1) IN GENERAL.—From amounts made available under subsection (b)(2), the Commission shall reimburse costs reasonably incurred by an FM broadcast station for facilities necessary for such station to reasonably minimize disruption of service as a result of the reorganization of broadcast television spectrum under subsection (b) of section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452).

(2) LIMITATION.—The Commission may not make reimbursements under paragraph (1) for lost revenues.

(3) DUPLICATIVE PAYMENTS PROHIBITED.—If an FM broadcast station has received a payment for interim facilities from the licensee of a television broadcast station that was reimbursed for such payment under subsection (b)(4)(A)(i) of such section 6403 (including

from amounts made available under section 601 of this title), or from any other source, such FM broadcast station may not receive any reimbursements under paragraph (1).

(b) FUNDING.—

(1) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund to be known as the FM Broadcast Station Relocation Fund.

(2) AVAILABILITY OF FUNDS.—

(A) IN GENERAL.—Amounts in the FM Broadcast Station Relocation Fund shall be available to the Commission to make payments required by subsection (a)(1).

(B) AVAILABILITY AFTER APRIL 13, 2020.—Amounts in the FM Broadcast Station Relocation Fund shall not be available to the Commission to make payments required by subsection (a)(1) after April 13, 2020, unless, before making any such payments after such date, the Commission submits to Congress a certification that such payments are necessary to reimburse costs reasonably incurred by an FM broadcast station for facilities necessary for such station to reasonably minimize disruption of service as a result of the reorganization of broadcast television spectrum under subsection (b) of section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452).

(3) UNUSED FUNDS RESCINDED AND DEPOSITED INTO THE GENERAL FUND OF THE TREASURY.—

(A) RESCISSION AND DEPOSIT.—If any unobligated amounts remain in the FM Broadcast Station Relocation Fund after the date described in subparagraph (B), such amounts shall be rescinded and deposited into the general fund of the Treasury, where such amounts shall be dedicated for the sole purpose of deficit reduction.

(B) DATE DESCRIBED.—The date described in this subparagraph is the earlier of—

(i) the date of a certification by the Commission under subparagraph (C) that all reimbursements pursuant to subsection (a)(1) have been made; or

(ii) July 3, 2022.

(C) CERTIFICATION.—If all reimbursements pursuant to subsection (a)(1) have been made before July 3, 2022, the Commission shall submit to the Secretary of the Treasury a certification that all such reimbursements have been made.

(c) ADMINISTRATIVE COSTS.—The amount of auction proceeds that the salaries and expenses account of the Commission is required to retain under section 309(j)(8)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(B)), including from the proceeds of the forward auction under section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452), shall be sufficient to cover the administrative costs incurred by the Commission in making any reimbursements out of the FM Broadcast Station Relocation Fund.

(d) FM BROADCAST STATION DEFINED.—In this section, the term “FM broadcast station” has the meaning given such term in section 73.310 of title 47, Code of Federal Regulations, and, for an FM translator, has the meaning given the term “FM translator” in section 74.1201 of such title.

**SEC. 604. CONSUMER EDUCATION PAYMENT.**

(a) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund to be known as the Broadcast Station Relocation Consumer Education Fund.

(b) AVAILABILITY OF FUNDS.—Amounts in the Broadcast Station Relocation Consumer Education Fund shall be available to the Commission to make payments solely for the purposes of consumer education relating to the reorganization of broadcast television spectrum under subsection (b) of section 6403

of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452).

(c) ADMINISTRATIVE COSTS.—The amount of auction proceeds that the salaries and expenses account of the Commission is required to retain under section 309(j)(8)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(B)), including from the proceeds of the forward auction under section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452), shall be sufficient to cover the administrative costs incurred by the Commission in making any payments out of the Broadcast Station Relocation Consumer Education Fund.

**SEC. 605. IMPLEMENTATION AND ENFORCEMENT.**

The Commission shall implement and enforce this title as if this title is a part of the Communications Act of 1934 (47 U.S.C. 151 et seq.). A violation of this title, or a regulation promulgated under this title, shall be considered to be a violation of the Communications Act of 1934, or a regulation promulgated under such Act, respectively.

**SEC. 606. RULE OF CONSTRUCTION.**

Nothing in this title shall alter the final transition phase completion date established by the Commission for full power and Class A television stations.

**TITLE VII—MOBILE NOW**

**SEC. 701. SHORT TITLE.**

This title may be cited as the “Making Opportunities for Broadband Investment and Limiting Excessive and Needless Obstacles to Wireless Act” or the “MOBILE NOW Act”.

**SEC. 702. DEFINITIONS.**

In this title:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

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

(B) the Committee on Energy and Commerce of the House of Representatives; and

(C) each committee of the Senate or of the House of Representatives with jurisdiction over a Federal entity affected by the applicable section in which the term appears.

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

(3) FEDERAL ENTITY.—The term “Federal entity” has the meaning given the term in section 113(1) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(1)).

(4) NTIA.—The term “NTIA” means the National Telecommunications and Information Administration of the Department of Commerce.

(5) OMB.—The term “OMB” means the Office of Management and Budget.

(6) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

**SEC. 703. IDENTIFYING 255 MEGAHERTZ.**

(a) REQUIREMENTS.—

(1) IN GENERAL.—Not later than December 31, 2022, the Secretary, working through the NTIA, and the Commission shall identify a total of at least 255 megahertz of Federal and non-Federal spectrum for mobile and fixed wireless broadband use.

(2) UNLICENSED AND LICENSED USE.—Of the spectrum identified under paragraph (1), not less than—

(A) 100 megahertz below the frequency of 8000 megahertz shall be identified for use on an unlicensed basis;

(B) 100 megahertz below the frequency of 6000 megahertz shall be identified for use on an exclusive, licensed basis for commercial mobile use, pursuant to the Commission’s authority to implement such licensing in a flexible manner, and subject to potential continued use of such spectrum by incum-

bent Federal entities in designated geographic areas indefinitely or for such length of time stipulated in transition plans approved by the Technical Panel under section 113(h) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(h)) for those incumbent entities to be relocated to alternate spectrum; and

(C) 55 megahertz below the frequency of 8000 megahertz shall be identified for use on either a licensed or unlicensed basis, or a combination of licensed and unlicensed.

(3) NON-ELIGIBLE SPECTRUM.—For purposes of satisfying the requirement under paragraph (1), the following spectrum shall not be counted:

(A) The frequencies between 1695 and 1710 megahertz.

(B) The frequencies between 1755 and 1780 megahertz.

(C) The frequencies between 2155 and 2180 megahertz.

(D) The frequencies between 3550 and 3700 megahertz.

(E) Spectrum that the Commission determines had more than de minimis mobile or fixed wireless broadband operations within the band on the day before the date of enactment of this Act.

(4) TREATMENT OF CERTAIN OTHER SPECTRUM.—Spectrum identified pursuant to this section may include eligible spectrum, if any, identified after the date of enactment of this Act pursuant to title X of the Bipartisan Budget Act of 2015 (Public Law 114-74).

(5) SPECTRUM MADE AVAILABLE ON AND AFTER FEBRUARY 11, 2016.—Any spectrum that has been made available for licensed or unlicensed use on and after February 11, 2016, and that otherwise satisfies the requirements of this section may be counted towards the requirements of this subsection.

(6) RELOCATION PRIORITIZED OVER SHARING.—This section shall be carried out in accordance with section 113(j) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(j)).

(7) CONSIDERATIONS.—In identifying spectrum for use under this section, the Secretary, working through the NTIA, and Commission shall consider—

(A) the need to preserve critical existing and planned Federal Government capabilities;

(B) the impact on existing State, local, and tribal government capabilities;

(C) the international implications;

(D) the need for appropriate enforcement mechanisms and authorities; and

(E) the importance of the deployment of wireless broadband services in rural areas of the United States.

(b) RULES OF CONSTRUCTION.—Nothing in this section shall be construed—

(1) to impair or otherwise affect the functions of the Director of OMB relating to budgetary, administrative, or legislative proposals;

(2) to require the disclosure of classified information, law enforcement sensitive information, or other information that must be protected in the interest of national security; or

(3) to affect any requirement under section 156 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 921 note), as added by section 1062(a) of the National Defense Authorization Act for Fiscal Year 2000, or any other relevant statutory requirement applicable to the reallocation of Federal spectrum.

**SEC. 704. MILLIMETER WAVE SPECTRUM.**

(a) FCC PROCEEDING.—Not later than 2 years after the date of enactment of this Act, the Commission shall publish a notice



of proposed rulemaking to consider service rules to authorize mobile or fixed terrestrial wireless operations, including for advanced mobile service operations, in the radio frequency band between 42000 and 42500 megahertz.

(b) CONSIDERATIONS.—In conducting a rulemaking under subsection (a), the Commission shall—

(1) consider how the band described in subsection (a) may be used to provide commercial wireless broadband service, including whether—

(A) such spectrum may be best used for licensed or unlicensed services, or some combination thereof; and

(B) to permit additional licensed operations in such band on a shared basis; and

(2) include technical characteristics under which the band described in subsection (a) may be employed for mobile or fixed terrestrial wireless operations, including any appropriate coexistence requirements.

(c) SPECTRUM MADE AVAILABLE ON AND AFTER FEBRUARY 11, 2016.—Any spectrum that has been made available for licensed or unlicensed use on or after February 11, 2016, and that otherwise satisfies the requirements of section 703 may be counted towards the requirements of section 703(a).

#### SEC. 705. 3 GIGAHERTZ SPECTRUM.

(a) BETWEEN 3100 MEGAHERTZ AND 3550 MEGAHERTZ.—Not later than 24 months after the date of enactment of this Act, and in consultation with the Commission and the head of each affected Federal agency (or a designee thereof), the Secretary, working through the NTIA, shall submit to the Commission and the appropriate committees of Congress a report evaluating the feasibility of allowing commercial wireless services, licensed or unlicensed, to share use of the frequencies between 3100 megahertz and 3550 megahertz.

(b) BETWEEN 3700 MEGAHERTZ AND 4200 MEGAHERTZ.—Not later than 18 months after the date of enactment of this Act, after notice and an opportunity for public comment, and in consultation with the Secretary, working through the NTIA, and the head of each affected Federal agency (or a designee thereof), the Commission shall submit to the Secretary and the appropriate committees of Congress a report evaluating the feasibility of allowing commercial wireless services, licensed or unlicensed, to use or share use of the frequencies between 3700 megahertz and 4200 megahertz.

(c) REQUIREMENTS.—A report under subsection (a) or (b) shall include the following:

(1) An assessment of the operations of Federal entities that operate Federal Government stations authorized to use the frequencies described in that subsection.

(2) An assessment of the possible impacts of such sharing on Federal and non-Federal users already operating on the frequencies described in that subsection.

(3) The criteria that may be necessary to ensure shared licensed or unlicensed services would not cause harmful interference to Federal or non-Federal users already operating in the frequencies described in that subsection.

(4) If such sharing is feasible, an identification of which of the frequencies described in that subsection are most suitable for sharing with commercial wireless services through the assignment of new licenses by competitive bidding, for sharing with unlicensed operations, or through a combination of licensing and unlicensed operations.

(d) COMMISSION ACTION.—The Commission, in consultation with the NTIA, shall seek public comment on the reports required under subsections (a) and (b), including regarding the bands identified in such report as feasible pursuant to subsection (c)(4).

#### SEC. 706. BROADBAND INFRASTRUCTURE DEPLOYMENT.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE STATE AGENCY.—The term “appropriate State agency” means a State governmental agency that is recognized by the executive branch of the State as having the experience necessary to evaluate and carry out projects relating to the proper and effective installation and operation of broadband infrastructure.

(2) BROADBAND INFRASTRUCTURE.—The term “broadband infrastructure” means any buried, underground, or aerial facility, and any wireless or wireline connection, that enables users to send and receive voice, video, data, graphics, or any combination thereof.

(3) BROADBAND INFRASTRUCTURE ENTITY.—The term “broadband infrastructure entity” means any entity that—

(A) installs, owns, or operates broadband infrastructure; and

(B) provides broadband services in a manner consistent with the public interest, convenience, and necessity, as determined by the State.

(4) STATE.—The term “State” means—

(A) a State;

(B) the District of Columbia; and

(C) the Commonwealth of Puerto Rico.

(b) BROADBAND INFRASTRUCTURE DEPLOYMENT.—To facilitate the installation of broadband infrastructure, the Secretary of Transportation shall promulgate regulations to ensure that each State that receives funds under chapter 1 of title 23, United States Code, meets the following requirements:

(1) BROADBAND CONSULTATION.—The State department of transportation, in consultation with appropriate State agencies, shall—

(A) identify a broadband utility coordinator, that may have additional responsibilities, whether in the State department of transportation or in another State agency, that is responsible for facilitating the broadband infrastructure right-of-way efforts within the State;

(B) establish a process for the registration of broadband infrastructure entities that seek to be included in those broadband infrastructure right-of-way facilitation efforts within the State;

(C) establish a process to electronically notify broadband infrastructure entities identified under subparagraph (B) of the State transportation improvement program on an annual basis and provide additional notifications as necessary to achieve the goals of this section; and

(D) coordinate initiatives carried out under this section with other statewide telecommunication and broadband plans and State and local transportation and land use plans, including strategies to minimize repeated excavations that involve the installation of broadband infrastructure in a right-of-way.

(2) PRIORITY.—If a State chooses to provide for the installation of broadband infrastructure in the right-of-way of an applicable Federal-aid highway project under this subsection, the State department of transportation shall carry out any appropriate measures to ensure that any existing broadband infrastructure entities are not disadvantaged, as compared to other broadband infrastructure entities, with respect to the program under this subsection.

(c) EFFECT OF SECTION.—This section applies only to activities for which Federal obligations or expenditures are initially approved on or after the date regulations under subsection (b) become effective. Nothing in this section establishes a mandate or requirement that a State install or allow the installation of broadband infrastructure in a highway right-of-way. Nothing in this section authorizes the Secretary of Transpor-

tation to withhold or reserve funds or approval of a project under title 23, United States Code.

#### SEC. 707. REALLOCATION INCENTIVES.

(a) IN GENERAL.—Not later than 24 months after the date of enactment of this Act, the Assistant Secretary of Commerce for Communications and Information, in consultation with the Commission, the Director of OMB, and the head of each affected Federal agency (or a designee thereof), after notice and an opportunity for public comment, shall submit to the appropriate committees of Congress a report that includes legislative or regulatory recommendations to incentivize a Federal entity to relinquish, or share with Federal or non-Federal users, Federal spectrum for the purpose of allowing commercial wireless broadband services to operate on that Federal spectrum.

(b) POST-AUCTION PAYMENTS.—

(1) REPORT.—In preparing the report under subsection (a), the Assistant Secretary of Commerce for Communications and Information shall—

(A) consider whether permitting eligible Federal entities that are implementing a transition plan submitted under section 113(h) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(h)) to accept payments could result in access to the eligible frequencies that are being reallocated for exclusive non-Federal use or shared use sooner than would otherwise occur without such payments; and

(B) include the findings under subparagraph (A), including the analysis under paragraph (2) and any recommendations for legislation, in the report.

(2) ANALYSIS.—In considering payments under paragraph (1)(A), the Assistant Secretary of Commerce for Communications and Information shall conduct an analysis of whether and how such payments would affect—

(A) bidding in auctions conducted under section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) of such eligible frequencies; and

(B) receipts collected from the auctions described in subparagraph (A).

(3) DEFINITIONS.—In this subsection:

(A) PAYMENT.—The term “payment” means a payment in cash or in-kind by any auction winner, or any person affiliated with an auction winner, of eligible frequencies during the period after eligible frequencies have been reallocated by competitive bidding under section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) but prior to the completion of relocation or sharing transition of such eligible frequencies per transition plans approved by the Technical Panel.

(B) ELIGIBLE FREQUENCIES.—The term “eligible frequencies” has the meaning given the term in section 113(g)(2) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(g)(2)).

#### SEC. 708. BIDIRECTIONAL SHARING STUDY.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, including an opportunity for public comment, the Commission, in collaboration with the NTIA, shall—

(1) conduct a bidirectional sharing study to determine the best means of providing Federal entities flexible access to non-Federal spectrum on a shared basis across a range of short-, mid-, and long-range timeframes, including for intermittent purposes like emergency use; and

(2) submit to Congress a report on the study under paragraph (1), including any recommendations for legislation or proposed regulations.

(b) CONSIDERATIONS.—In conducting the study under subsection (a), the Commission shall—

- (1) consider the regulatory certainty that commercial spectrum users and Federal entities need to make longer-term investment decisions for shared access to be viable; and
- (2) evaluate any barriers to voluntary commercial arrangements in which non-Federal users could provide access to Federal entities.

**SEC. 709. UNLICENSED SERVICES IN GUARD BANDS.**

(a) IN GENERAL.—After public notice and comment, and in consultation with the Assistant Secretary of Commerce for Communications and Information and the head of each affected Federal agency (or a designee thereof), with respect to frequencies allocated for Federal use, the Commission shall adopt rules that permit unlicensed services where feasible to use any frequencies that are designated as guard bands to protect frequencies allocated after the date of enactment of this Act by competitive bidding under section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)), including spectrum that acts as a duplex gap between transmit and receive frequencies.

(b) LIMITATION.—The Commission may not permit any use of a guard band under this section that would cause harmful interference to a licensed service or a Federal service.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as limiting the Commission or the Assistant Secretary of Commerce for Communications and Information from otherwise making spectrum available for licensed or unlicensed use in any frequency band in addition to guard bands, including under section 703, consistent with their statutory jurisdictions.

**SEC. 710. AMENDMENTS TO THE SPECTRUM PIPELINE ACT OF 2015.**

Section 1008 of the Spectrum Pipeline Act of 2015 (Public Law 114-74; 129 Stat. 584) is amended in the matter preceding paragraph (1) by inserting “, after notice and an opportunity for public comment,” after “the Commission”.

**SEC. 711. GAO ASSESSMENT OF UNLICENSED SPECTRUM AND WI-FI USE IN LOW-INCOME NEIGHBORHOODS.**

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study to evaluate the availability of broadband Internet access using unlicensed spectrum and wireless networks in low-income neighborhoods.

(2) REQUIREMENTS.—In conducting the study under paragraph (1), the Comptroller General shall consider and evaluate—

(A) the availability of wireless Internet hot spots and access to unlicensed spectrum in low-income neighborhoods, particularly for elementary and secondary school-aged children in such neighborhoods;

(B) any barriers preventing or limiting the deployment and use of wireless networks in low-income neighborhoods;

(C) how to overcome any barriers described in subparagraph (B), including through incentives, policies, or requirements that would increase the availability of unlicensed spectrum and related technologies in low-income neighborhoods; and

(D) how to encourage home broadband adoption by households with elementary and secondary school-age children that are in low-income neighborhoods.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General 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 that—

(1) summarizes the findings of the study conducted under subsection (a); and

(2) makes recommendations with respect to potential incentives, policies, and requirements that could help achieve the goals described in subparagraphs (C) and (D) of subsection (a)(2).

**SEC. 712. RULEMAKING RELATED TO PARTITIONING OR DISAGGREGATING LICENSES.**

(a) DEFINITIONS.—In this section:

(1) COVERED SMALL CARRIER.—The term “covered small carrier” means a carrier (as defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153)) that—

(A) has not more than 1,500 employees (as determined under section 121.106 of title 13, Code of Federal Regulations, or any successor thereto); and

(B) offers services using the facilities of the carrier.

(2) RURAL AREA.—The term “rural area” means any area other than—

(A) a city, town, or incorporated area that has a population of more than 20,000 inhabitants; or

(B) an urbanized area contiguous and adjacent to a city or town that has a population of more than 50,000 inhabitants.

(b) RULEMAKING.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Commission shall initiate a rulemaking proceeding to assess whether to establish a program, or modify existing programs, under which a licensee that receives a license for the exclusive use of spectrum in a specific geographic area under section 301 of the Communications Act of 1934 (47 U.S.C. 301) may partition or disaggregate the license by sale or long-term lease—

(A) in order to—

(i) provide services consistent with the license; and

(ii) make unused spectrum available to—

(I) an unaffiliated covered small carrier; or

(II) an unaffiliated carrier to serve a rural area; and

(B) if the Commission finds that such a program would promote—

(i) the availability of advanced telecommunications services in rural areas; or

(ii) spectrum availability for covered small carriers.

(2) CONSIDERATIONS.—In conducting the rulemaking proceeding under paragraph (1), the Commission shall consider, with respect to the program proposed to be established under that paragraph—

(A) whether reduced performance requirements with respect to spectrum obtained through the program would facilitate deployment of advanced telecommunications services in the areas covered by the program;

(B) what conditions may be needed on transfers of spectrum under the program to allow covered small carriers that obtain spectrum under the program to build out the spectrum in a reasonable period of time;

(C) what incentives may be appropriate to encourage licensees to lease or sell spectrum, including—

(i) extending the term of a license granted under section 301 of the Communications Act of 1934 (47 U.S.C. 301); or

(ii) modifying performance requirements of the license relating to the leased or sold spectrum; and

(D) the administrative feasibility of—

(i) the incentives described in subparagraph (C); and

(ii) other incentives considered by the Commission that further the goals of this section.

(3) FORFEITURE OF SPECTRUM.—If a party fails to meet any build out requirements set

by the Commission for any spectrum sold or leased under this section, the right to the spectrum shall be forfeited to the Commission unless the Commission finds that there is good cause for the failure of the party.

(4) REQUIREMENT.—The Commission may offer a licensee incentives or reduced performance requirements under this section only if the Commission finds that doing so would likely result in increased availability of advanced telecommunications services in a rural area.

**SEC. 713. UNLICENSED SPECTRUM POLICY.**

(a) STATEMENT OF POLICY.—It is the policy of the United States—

(1) to maximize the benefit to the people of the United States of the spectrum resources of the United States;

(2) to advance innovation and investment in wireless broadband services; and

(3) to promote spectrum policy that makes available on an unlicensed basis radio frequency bands to address consumer demand for unlicensed wireless broadband operations.

(b) COMMISSION RESPONSIBILITIES.—The Commission shall ensure that the efforts of the Commission related to spectrum allocation and assignment made available on an unlicensed basis radio frequency bands to address demand for unlicensed wireless broadband operations if doing so is, after taking into account the future needs of homeland security, national security, and other spectrum users—

(1) reasonable; and

(2) in the public interest.

(c) RULE OF CONSTRUCTION.—Nothing in this section confers any additional rights on unlicensed users or users licensed by rule under part 96 of title 47, Code of Federal Regulations, to protection from harmful interference.

**SEC. 714. NATIONAL PLAN FOR UNLICENSED SPECTRUM.**

(a) DEFINITIONS.—In this section:

(1) SPECTRUM RELOCATION FUND.—The term “Spectrum Relocation Fund” means the Fund established under section 118 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 928).

(2) UNLICENSED OR LICENSED BY RULE OPERATIONS.—The term “unlicensed or licensed by rule operations” means the use of spectrum on a non-exclusive basis under—

(A) part 15 of title 47, Code of Federal Regulations; or

(B) licensing by rule under part 96 of title 47, Code of Federal Regulations.

(b) NATIONAL PLAN.—Not later than 18 months after the date of enactment of this Act, the Commission, in consultation with the NTIA, shall develop a national plan for making additional radio frequency bands available for unlicensed or licensed by rule operations.

(c) REQUIREMENTS.—The plan developed under this section shall—

(1) identify an approach that ensures that consumers have access to additional spectrum to conduct unlicensed or licensed by rule operations in a range of radio frequencies to meet consumer demand;

(2) recommend specific actions by the Commission and the NTIA to permit unlicensed or licensed by rule operations in additional radio frequency ranges that the Commission finds—

(A) are consistent with the statement of policy under section 713(a);

(B) will—

(i) expand opportunities for unlicensed or licensed by rule operations in a spectrum band; or

(ii) otherwise improve spectrum utilization and intensity of use of bands where unlicensed or licensed by rule operations are already permitted;

(C) will not cause harmful interference to Federal or non-Federal users of such bands; and

(D) will not significantly impact homeland security or national security communications systems; and

(3) examine additional ways, with respect to existing and planned databases or spectrum access systems designed to promote spectrum sharing and access to spectrum for unlicensed or licensed by rule operations—

(A) to improve accuracy and efficacy;

(B) to reduce burdens on consumers, manufacturers, and service providers; and

(C) to protect sensitive Government information.

(d) SPECTRUM RELOCATION FUND.—To be included as an appendix as part of the plan developed under this section, the NTIA, in consultation with the Director of the Office of Management and Budget, shall share with the Commission recommendations about how to reform the Spectrum Relocation Fund—

(1) to address costs incurred by Federal entities related to sharing radio frequency bands with radio technologies conducting unlicensed or licensed by rule operations; and

(2) to ensure the Spectrum Relocation Fund has sufficient funds to cover—

(A) the costs described in paragraph (1); and

(B) other expenditures allowed of the Spectrum Relocation Fund under section 118 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 928).

(e) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report that describes the plan developed under this section, including any recommendations for legislative change.

(2) PUBLICATION ON COMMISSION WEBSITE.—Not later than the date on which the Commission submits the report under paragraph (1), the Commission shall make the report publicly available on the website of the Commission.

(f) RULE OF CONSTRUCTION.—Nothing in this section confers any additional rights on unlicensed users or users licensed by rule under part 96 of title 47, Code of Federal Regulations, to protection from harmful interference.

#### SEC. 715. SPECTRUM CHALLENGE PRIZE.

(a) SHORT TITLE.—This section may be cited as the “Spectrum Challenge Prize Act”.

(b) DEFINITION OF PRIZE COMPETITION.—In this section, the term “prize competition” means a prize competition conducted by the Secretary under subsection (c)(1).

(c) SPECTRUM CHALLENGE PRIZE.—

(1) IN GENERAL.—The Secretary, in consultation with the Assistant Secretary of Commerce for Communications and Information and the Under Secretary of Commerce for Standards and Technology, shall, subject to the availability of funds for prize competitions under this section—

(A) conduct prize competitions to dramatically accelerate the development and commercialization of technology that improves spectrum efficiency and is capable of cost-effective deployment; and

(B) define a measurable set of performance goals for participants in the prize competitions to demonstrate their solutions on a level playing field while making a signifi-

cant advancement over the current state of the art.

(2) AUTHORITY OF SECRETARY.—In carrying out paragraph (1), the Secretary may—

(A) enter into a grant, contract, cooperative agreement, or other agreement with a private sector for-profit or nonprofit entity to administer the prize competitions;

(B) invite the Defense Advanced Research Projects Agency, the Commission, the National Aeronautics and Space Administration, the National Science Foundation, or any other Federal agency to provide advice and assistance in the design or administration of the prize competitions; and

(C) award not more than \$5,000,000, in the aggregate, to the winner or winners of the prize competitions.

(d) CRITERIA.—Not later than 180 days after the date on which funds for prize competitions are made available pursuant to this section, the Commission shall publish a technical paper on spectrum efficiency providing criteria that may be used for the design of the prize competitions.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

#### SEC. 716. WIRELESS TELECOMMUNICATIONS TAX AND FEE COLLECTION FAIRNESS.

(a) SHORT TITLE.—This section may be cited as the “Wireless Telecommunications Tax and Fee Collection Fairness Act”.

(b) DEFINITIONS.—In this section:

(1) FINANCIAL TRANSACTION.—The term “financial transaction” means a transaction in which the purchaser or user of a wireless telecommunications service upon whom a tax, fee, or surcharge is imposed gives cash, credit, or any other exchange of monetary value or consideration to the person who is required to collect or remit the tax, fee, or surcharge.

(2) LOCAL JURISDICTION.—The term “local jurisdiction” means a political subdivision of a State.

(3) STATE.—The term “State” means any of the several States, the District of Columbia, and any territory or possession of the United States.

(4) STATE OR LOCAL JURISDICTION.—The term “State or local jurisdiction” includes any governmental entity or person acting on behalf of a State or local jurisdiction that has the authority to assess, impose, levy, or collect taxes or fees.

(5) WIRELESS TELECOMMUNICATIONS SERVICE.—The term “wireless telecommunications service” means a commercial mobile radio service, as defined in section 20.3 of title 47, Code of Federal Regulations, or any successor thereto.

(c) FINANCIAL TRANSACTION REQUIREMENT.—

(1) IN GENERAL.—A State, or a local jurisdiction of a State, may not require a person who is neither a resident of such State or local jurisdiction nor an entity having its principal place of business in such State or local jurisdiction to collect from, or remit on behalf of, any other person a State or local tax, fee, or surcharge imposed on a purchaser or user with respect to the purchase or use of any wireless telecommunications service within the State unless the collection or remittance is in connection with a financial transaction.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to affect the right of a State or local jurisdiction to require the collection of any tax, fee, or surcharge in connection with a financial transaction.

(d) ENFORCEMENT.—

(1) PRIVATE RIGHT OF ACTION.—Any person aggrieved by a violation of subsection (c) may bring a civil action in an appropriate

district court of the United States for equitable relief in accordance with paragraph (2) of this subsection.

(2) JURISDICTION OF DISTRICT COURTS.—Notwithstanding section 1341 of title 28, United States Code, or the constitution or laws of any State, the district courts of the United States shall have jurisdiction, without regard to the amount in controversy or citizenship of the parties, to grant such mandatory or prohibitive injunctive relief, interim equitable relief, and declaratory judgments as may be necessary to prevent, restrain, or terminate any acts in violation of subsection (c).

#### SEC. 717. RULES OF CONSTRUCTION.

(a) RANGES OF FREQUENCIES.—Each range of frequencies described in this title shall be construed to be inclusive of the upper and lower frequencies in the range.

(b) ASSESSMENT OF ELECTROMAGNETIC SPECTRUM REALLOCATION.—Nothing in this title shall be construed to affect any requirement under section 156 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 921 note), as added by section 1062(a) of the National Defense Authorization Act for Fiscal Year 2000.

#### SEC. 718. RELATIONSHIP TO MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2012.

Nothing in this title shall be construed to limit, restrict, or circumvent in any way the implementation of the nationwide public safety broadband network defined in section 6001 of title VI of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401) or any rules implementing that network under title VI of that Act (47 U.S.C. 1401 et seq.).

#### SEC. 719. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated to carry out this title, or the amendment made by this title. This title, and the amendment made by this title, shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

#### GENERAL LEAVE

Mr. WALDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased today that the House of Representatives is taking up an important bill from the House Energy and Commerce Committee. It is titled the Repack Airwaves Yielding Better Access for Users of Modern Services Act of 2018, or RAY BAUM'S Act.

I thank our subcommittee chairman, MARSHA BLACKBURN, for her hard work in introducing and moving this legislation forward.

Before I get into the policy side, I want to touch on the meaning behind this bill's title.

H.R. 4986 is a nod to our dear friend, and mine of 30 years, the former staff director of our Energy and Commerce Committee, who recently lost his battle with cancer.

It is a testament of not just Ray's dedication to telecom policy—as you know, he served as public utility commissioner, he chaired the Joint Board with the FCC on communications issues, and was such a policy brain for our committee—but also his ability to work across the aisle and with all levels of government officials. He got good things done for America.

Years ago, when I became chairman of what was then called the Subcommittee on Telecommunications and the Internet, Ray, at my invitation, finally agreed to come back to Washington and work on the committee.

He had served as a State representative and as majority leader of the Oregon House. He had been chairman of the public utility commission in Oregon and brought a lot to our process as senior policy adviser.

In the years that followed, these issues remained both a priority and a passion for Ray, and I believe and I hope our bipartisan work today reflects admirably the kind of commitment he wanted all of us to share in making good public policy.

By the way, that is Ray right there, for those who didn't know.

The RAY BAUM'S Act reauthorizes the Federal Communications Commission. It includes efficiency and transparency reforms for the FCC, and it spurs the development of next generation 5G technologies.

It is good for consumers, and it is good for our Nation's critical telecommunications services.

Importantly, the bill before us today is the product of a bipartisan and bicameral agreement, House and Senate, Republicans and Democrats, including my friend from New Jersey (Mr. PALLONE), Senate Commerce Committee chairman Mr. THUNE, and the ranking member in the Senate, BILL NELSON.

Mr. Speaker, we bring you a good product today of sound policy named for a wonderful individual, and I reserve the balance of my time.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, March 6, 2018.

Hon. GREG WALDEN,  
Chairman, Committee on Energy and Commerce,  
Washington, DC.

DEAR CHAIRMAN WALDEN: I write concerning H.R. 4986, RAY BAUM'S Act of 2018. This legislation includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Transportation and Infrastructure will forego action on the bill. However, this is conditional on our mutual understanding that foregoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. Further, this is conditional on our understanding that mutually agreed upon changes to the legislation will be incorporated into the bill prior to floor consideration. Lastly, should a conference on the bill be necessary, I request your support for the appointment of conferees from the Committee on Transportation and Infrastructure during any House-Senate conference convened on this or related legislation.

I would ask that a copy of this letter and your response acknowledging our jurisdictional interest as well as the mutually agreed upon changes to be incorporated into the bill be included in the Congressional Record during consideration of the measure on the House floor, to memorialize our understanding.

I look forward to working with the Committee on Energy and Commerce as the bill moves through the legislative process.

Sincerely,  
BILL SHUSTER,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ENERGY AND COMMERCE,  
Washington, DC, March 6, 2018.

Hon. BILL SHUSTER,  
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for your letter concerning H.R. 4986, RAY BAUM'S Act of 2018, which includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

I appreciate your Committee's willingness to forego action on H.R. 4986 so that this legislation may be brought before the House of Representatives in an expeditious manner.

I agree that foregoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. Further, I agree that mutually agreed upon changes to the legislation will be incorporated into the bill prior to floor consideration. Lastly, should a conference on the bill be necessary, I will support the appropriate appointment of conferees from the Committee on Transportation and Infrastructure during any House-Senate conference convened on this or related legislation.

I will include a copy of your letter and this response in the Congressional Record during consideration of the measure on the House floor.

Sincerely,  
GREG WALDEN,  
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,  
Washington, DC, March 6, 2018.

Hon. GREG WALDEN,  
Chairman, Committee on Energy & Commerce,  
House of Representatives.

DEAR MR. CHAIRMAN: I am writing concerning the jurisdictional interest of the Committee on Oversight and Government Reform in H.R. 4986, the "RAY BAUM'S Act of 2018." As a result of your having consulted with me concerning the provisions of the bill that fall within our Rule X jurisdiction, I agree to forego further consideration by the Committee on Oversight and Government Reform.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 4986 at this time we do not

waive any jurisdiction over the subject matter contained in this or similar legislation. Further, I request your support for the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation.

Finally, I would ask that a copy of our exchange of letters on this matter be included in the bill report filed by the Committee on Energy & Commerce, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Sincerely,  
TREY GOWDY.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ENERGY AND COMMERCE,  
Washington, DC, March 6, 2018.

Hon. TREY GOWDY,  
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN GOWDY: Thank you for your letter concerning H.R. 4986, RAY BAUM'S Act of 2018, and I appreciate your willingness to forego further consideration by the Committee on Oversight and Government Reform.

I agree that by foregoing consideration of H.R. 4986 at this time, the Committee on Oversight and Government Reform does not waive any jurisdiction over the subject matter contained in this or similar legislation. Further, I will support the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation.

Finally, a copy of our exchange of letters on this matter will be included in the bill report filed by the Committee on Energy and Commerce, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Sincerely,  
GREG WALDEN,  
Chairman.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I also rise in support of H.R. 4986, the RAY BAUM'S Act. This bill is the product of extensive bipartisan collaboration. After exhaustive negotiations, we were able to reach a deal that includes bills introduced by Democrats and Republicans in both the House and in the Senate. That does not happen often, and I would like to thank my colleagues for working with me so closely.

This bill is a real tribute to its namesake, Ray Baum. Ray had a passion for telecommunications policy and a special place in his heart for broadcasting. Ray was also an eternal optimist. He never faltered in his belief that we could find a way to work together to find a solution, and he was right.

We were able to incorporate proposals from Members on both sides of the aisle, just the way Ray would have liked it, and we were able to produce this legislation that will reauthorize the FCC for the first time in 28 years.

Mr. Speaker, I would like to briefly mention some aspects of this bill that I am most proud of. First, we were able to include the SANDY Act, which is named to honor those affected by Superstorm Sandy, a storm that ripped through the Northeast, including my district, over 5 years ago. During that

superstorm, we saw firsthand how important communications were for survival. From television and radio broadcasters to wireless providers and cable networks, each played its own role in making sure people knew how to find help, look for loved ones, and stay out of harm's way.

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I used the lessons we learned from Sandy in writing this legislation. When this bill is signed into law, our networks will be stronger, more resilient, and more capable to serve in an emergency.

This FCC reauthorization bill also includes the Viewer Protection Act. I introduced the Viewer Protection Act to make sure no viewer loses signal as a result of the FCC's incentive auction. Access to local information has become even more important as the number of natural disasters has increased over the past few years.

Not only does this bill help ensure consumers' broadcast stations don't go dark, as part of this bipartisan, bicameral deal, we have agreed to provide \$50 million in funding to help educate consumers about the transition. This funding is critical to make sure that people have access to information about how to get their televisions to work.

My colleagues will discuss other important aspects of this deal. But before they do, I would like to point out two important provisions that we included as part of the reauthorization. First, we included a provision that makes the FCC's inspector general independent of the Commission's chairman. The IG is currently conducting a number of critical investigations, including one into whether the chairman of the agency has been improperly favoring Sinclair Broadcast Group. But under current law, these investigations are being conducted under a cloud—the very chairman who is under investigation can obstruct the review by firing the inspector general or his or her staff at any time. So by passing this bill, we are ensuring that these important investigations can conclude without any interference.

Finally, I do not normally support unnecessarily cutting the budget of our agencies. But in this case, I would like to thank my colleagues for agreeing to limit this cut to the length of this administration. The current leadership of the FCC, in my opinion, has proven that it cannot be trusted to serve the public interest. Most notably, the agency has ignored its statutory duty and the call of the American people by destroying our net neutrality protections. Net neutrality safeguards our American values by empowering small businesses, creating new jobs, and ensuring free speech online.

By limiting the resources that we provide for the next 3 years, this reauthorization will limit this Commission's power, in my opinion, to do more harm.

For these reasons and many more, I urge my colleagues to support the bipartisan and bicameral agreement embodied by the RAY BAUM'S Act.

I would like to also thank the Democratic committee staff—David Goldman, Gerald Leverich, and Dan Miller—for all of their hard work in getting this bill to the floor today.

Mr. Speaker, I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 3 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN), the chair of the subcommittee, who has been an incredible leader on our communications issues on the Energy and Commerce Committee for some time.

Mrs. BLACKBURN. Mr. Speaker, I thank the chairman for the recognition, and I thank him for his efforts on this.

Mr. Speaker, it really is a pleasure to come here today to talk about the RAY BAUM'S Act. We have, for so long, talked about the need to push this through to completion, and Ray served as our staff director and really helped the committee and our subcommittee push this forward to the point that we could say: Yes, we have the FCC reauthorization done.

As Mr. PALLONE said, it has been 28 years since this agency has been reauthorized. It is certainly an honor to say we have done this in Ray's name, and we have done it in a bipartisan way.

There are so many things that are included in this bill, and one of the provisions that is in here is Chairman WALDEN's FCC reform. Many times you will hear us talk about needing to bring sunlight to these agencies, bringing order, and the ability for constituents and citizens to know what is happening. We have that included in this bill.

We also have provisions that our whip, STEVE SCALISE—the Consolidated Reporting Act—has included in this bill. We have provisions from Ms. ESHOO and from Representative ENGEL. These are all bipartisan provisions that you will see included in this legislation. Mr. JOHNSON has a provision that is included that will change the way the inspector general works in this agency so that he truly is an inspector general who is independent.

So we have worked together in a bipartisan way to do our repack which deals with our broadcasters and our spectrum to handle MobileNOW, which has been a priority of the Senate. They could not get it finished. We have finished that process, and then also the FCC reauthorization.

So I express my gratitude to the committee members, both Democrats and Republicans, and the staff members from both sides of the dais to say thank you for the work that is done to bring this bipartisan effort together to reauthorize this agency to deal with our spectrum repack and to address the MobileNOW concerns.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Penn-

sylvania (Mr. MICHAEL F. DOYLE), who is the ranking member of the Communications and Technology Subcommittee.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would like to take a moment to speak in memorial to the late Ray Baum. He was a dedicated husband and father, the staff director for the majority on the Energy and Commerce Committee, and a trusted adviser and friend to Chairman WALDEN. We were all saddened by his passing, and I would like to express our condolences to his friends and family.

The legislation before us today is the product of bipartisan and bicameral compromise. While it is not perfect, it represents a good faith effort by Ranking Member PALLONE, Chairman WALDEN, Senator NELSON, and Senator THUNE.

This compromise incorporates a number of Democratic priorities, including Ranking Member PALLONE's Viewer Protection Act and SANDY Act, and Congresswoman ESHOO's RESPONSE Act and "Dig Once" bill, and a number of provisions from other members of our committee on cybersecurity, Tribal broadband, broadband access for veterans, and others.

Like Ranking Member PALLONE, I am also happy to see bipartisan language included in the bill which makes the FCC inspector general an independent entity.

This sends a strong bipartisan and bicameral message to Chairman Pai that he cannot end the FCC inspector general's investigation into collusion between his office and Sinclair Broadcast Group simply by firing the current inspector general. These allegations also require congressional oversight and investigation.

I am also happy to see that we have an agreement to provide the remainder of the funds necessary to transition broadcasters as part of the FCC's incentive auction—keeping a promise that we made to them that they would be held harmless.

The agreement also includes funds for consumer education about the transition. It is critical that the public be educated about the upcoming television repack and understand the what, when, and where of how it will work.

Mr. Speaker, I look forward to continuing to work on this legislation with my colleagues as it moves forward.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. LANCE), who is a talented member of our committee.

Mr. LANCE. Mr. Speaker, I rise in very strong support of the RAY BAUM'S Act, which reauthorizes the Federal Communications Commission for the first time in 28 years.

How appropriate that this critical legislation is named for Ray Baum, who dedicated his tremendous public service to these issues, and whom we all admired.

I commend the leadership. The Energy and Commerce Committee puts more bipartisan bills on the President's desk than any other committee here on Capitol Hill. This is important legislation strengthening the FCC, protecting consumers, and, most important of all, expanding the information channels our lives and the economy need.

I am pleased that this legislation includes the Anti-Spoofing Act, a bill I have worked on with Congresswoman MENG and Chairman Emeritus BARTON for several years. Spoofing is an insidious practice used by scammers to call consumers using a faked phone number, often pretending to be a bank or government agency. Millions of Americans continue to be defrauded by con artists and scammers who perpetrate this despicable crime. This disgraceful practice must end, and it will be ended in large part due to this legislation. I am pleased this FCC reauthorization enacts consumer protections like those in the Anti-Spoofing Act.

Mr. Speaker, I urge a "yes" vote.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Speaker, I am pleased that today we are reauthorizing the Federal Communications Commission through the RAY BAUM'S Act, which, among other things, ensures our local broadcasters have the resources they need and will deliver additional spectrum into the commercial marketplace. Spectrum is the invisible infrastructure that supports our wireless economy.

As the way we do business continues to depend on connectivity and mobility, spectrum will be a part of everything from remote health monitoring to precision agriculture, to public safety communications and connected devices.

That is why I am pleased that this package includes several of my priorities, including my Spectrum Auction Deposits Act, which I coauthored with Congressman GUTHRIE. This legislation will enable the FCC to continue to conduct auctions that will unlock the spectrum necessary to deploy next generation broadband networks. Without this fix, auctions to deliver more spectrum into the commercial marketplace may be put on hold indefinitely.

This package also includes my legislation to create a Federal spectrum challenge prize, which would accelerate the development and commercialization of innovative technologies to make spectrum use more efficient.

It could also facilitate the application of existing technologies, such as blockchain, to develop spectrum sharing mechanisms that will allow providers to access spectrum on a real-time basis.

This bipartisan legislation will promote the expansion of current and next generation broadband networks across America. It is an important step forward, and I am proud to support its passage.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. KINZINGER), who is a great member of our committee.

Mr. KINZINGER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise to support the RAY BAUM'S Act. It is fitting that this bill be named for him, a shining example of public service and a great friend. My heart goes out to his wife and all his family and loved ones.

Mr. Speaker, this legislation reauthorizes the FCC for the first time in 28 years. I am proud of the inclusion of two of my bipartisan bills.

First is the Rural Spectrum Accessibility Act, which Mr. LOEBSACK and I introduced. It expands access to coverage in rural communities by allowing licensed, unused spectrum to be sub-allocated to carriers serving rural populations.

The second is the Improving Broadband Access for Veterans Act, which Mr. MCNERNEY and I introduced. It requires the FCC to thoroughly examine veterans' access to broadband and provide recommendations to increase access, especially for rural and low-income veterans.

Again, this legislation is one more example to show the majority of the work done in Congress is bipartisan and sometimes even bicameral.

Mr. Speaker, I thank the chairman and everybody for working together to get this done, and I urge my colleagues to support the RAY BAUM'S Act.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, I thank my ranking member and the chairman for yielding. I thank my colleagues on the other side of the aisle for their bipartisan efforts here.

I rise in support of H.R. 4986, the RAY BAUM'S Act. In the first place, this bill will help ensure that the incentive auction repack can move forward in a timely fashion and that Americans can have access to their local broadcasting stations during this period of time.

On the other hand, I am very proud that this bill includes a bipartisan provision that Congressman KINZINGER and I worked on.

This provision will move us forward in closing the digital divide for our Nation's veterans. Access to broadband internet service is critical for the more than 20 million veterans across our country, with the highest population of veterans residing in California.

Having a broadband internet connection helps veterans apply for jobs more easily, obtain necessary vocational training, communicate with family and friends, keep up with current events, access healthcare services, and get important information about their benefits and military records.

Without broadband internet access, it is difficult to fully participate in today's society. Veterans face many challenges when they return home, and not

having internet access makes what is already an incredibly tough transition process even harder. This is particularly likely to be the case for low-income veterans and veterans living in rural areas.

Although we lack specific data on the number of veterans with broadband internet access, we know that Americans who live in rural areas are less likely to be connected. This is also the case for Americans who live at or below the Federal poverty level.

We must find ways to ensure that veterans, especially the more than 1.4 million veterans living below the Federal poverty level and the 5.3 million residing in rural areas, are not left behind.

This is why my provision directs the Federal Communications Commission to examine the current state of broadband access for veterans and what can be done to increase access, with a focus on low-income veterans and veterans residing in rural areas.

The findings and recommendations from this report will be important for paving the way to get more veterans connected. I urge my colleagues to vote for this bill.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS) to speak on this important legislation.

Mr. BILIRAKIS. Mr. Speaker, named in memory of a hardworking and honorable man, the RAY BAUM'S Act reauthorizes the Federal Communications Commission for the first time in 28 years.

This bill is the result of a wholly bipartisan process that includes important provisions that will benefit all our constituents.

□ 1500

This includes further prohibitions on spoofing calls, reports on promoting internet access for low-income veterans, and improving 911 caller information.

The bill also provides additional funding for the repack process and fosters technology growth by authorizing studies on spectrum available for future auctions.

I applaud the work of the subcommittee on getting this done. This bill will truly benefit innovation and our constituents, and I support its passage.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. Mr. Speaker, I thank the chair and ranking member for working to bring this bill to the floor today.

Mr. Speaker, I am pleased to see the RAY BAUM'S Act moving forward. This bill really is a good example of compromise. No one got everything that they wanted, but we worked together to find common ground. I think it represents what we need to be doing more of in Washington and in this body and what people and I want to see happen more often, namely, that Members

of Congress come together in a bipartisan manner to reach a commonsense agreement.

But today I come to the floor to talk about a piece of legislation, the Rural Wireless Access Act, which I was pleased to help introduce and incorporate into the larger FCC Reauthorization Act.

I want to thank, in particular, my friend Mr. COSTELLO for working with me on this bipartisan bill. I also want to thank Mrs. BLACKBURN, chair of the Communications and Technology Subcommittee, for helping to move this forward.

This bill, which I introduced last year, would require the FCC to establish standards for collecting wireless coverage data. Everyone at some point has been driving through places in rural America that don't get wireless coverage. Unfortunately, the maps that the FCC uses to fix coverage gaps are often inadequate.

Currently, the standards that define how wireless coverage is determined are not sufficient, meaning the coverage maps can be incomplete or inaccurate. Without accurate coverage maps, resources needed to improve wireless access will not be directed to the areas that need the most help, including rural areas.

I am pleased that the Energy and Commerce Committee agreed to include this legislation, the Rural Wireless Access Act, as part of the larger package so that we can improve wireless voice and mobile internet services and ensure the resources go to the areas that need it the most.

In order to fix the problem, we have to get the data right. I am hopeful that the passage of the FCC Reauthorization Act will help folks in rural areas get the wireless coverage they need.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. JOHNSON), who has been a real leader on telecommunications issues.

Mr. JOHNSON of Ohio. Mr. Speaker, I, too, want to add my strongest, deepest sympathies and condolences to Ray Baum's family on his passing.

Mr. Speaker, I rise today in support of H.R. 4986, the RAY BAUM'S Act, to reauthorize the FCC for the first time in 28 years. This important legislation also provides transparency and efficiency reforms, including language from my bill, H.R. 2636, to create an independent inspector general for the FCC.

Currently, the IG is not only appointed by the chairman, but also reports to and is under general supervision of the Chairman of the Commission. This legislation would require the President, with the advice and consent of the Senate, to appoint the inspector general. It is simply good governance and a matter of transparency and accountability to have an independent IG.

Importantly, this legislation also creates and authorizes a broadcast repack fund to address the anticipated

shortfall in funding available to relocate broadcasters who are displaced from the most recent spectrum auction. It is important that we provide the funding necessary to successfully relocate these broadcasters and ensure an efficient and timely transition.

I urge my colleagues to support this important legislation to reauthorize the FCC.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. RUIZ).

Mr. RUIZ. Mr. Speaker, I want to thank Chairman WALDEN, Ranking Member PALLONE, and the committee for their hard work on this bipartisan bill.

This legislation includes my bill, H.R. 5007, the Tribal Broadband Deployment Act, which will direct the FCC to improve broadband access on Tribal lands within 30 months.

For the communities in my congressional district, California's 36th District, and throughout our Nation, this will be a game changer. Throughout the Coachella Valley, the San Jacinto Mountain communities, and the Pass regions of California, rural, underdeveloped Tribal lands are spread out among non-Tribal communities, both of which are often lacking broadband internet and both of which will benefit.

My bill will bring real resources and opportunities to these areas, improving connectivity and helping to close the digital divide in these historically underserved communities. With expanding access to the internet, families, students, workers, and businesses will be able to harness the power of their ideas and information to achieve their dreams and grow our local economies.

I want to thank Chairman BLACKBURN for honoring her commitment to work with me on this issue.

I urge the House to pass this important bipartisan bill.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. COSTELLO), a very important member of our committee.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise in support of H.R. 4986, RAY BAUM'S Act of 2018, named after the late Ray Baum, who dedicated his life to public service.

Mr. Speaker, this bill includes important provisions to modernize our telecommunications agencies and to craft policies that will fuel next generation services like gigabit service and 5G networks. We are going to increase access to information and services for millions of Americans with this bill, Mr. Speaker.

5G networks mean doctors can more effectively treat patients that live hours away from the closest hospital, automated vehicles can offer mobility to our Nation's most vulnerable, small or rural businesses can compete beyond their local markets, and it means that first responders can more quickly reopen critical lines of communications in the aftermath of a natural disaster.

By passing this bill, we can fully realize the benefits of an interconnected

and increasingly wireless world. I urge my colleagues to support H.R. 4986.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy in permitting me to speak on this.

This bill, I think, is an example of the politics and legislation that Ray Baum would be particularly proud of, characterizing his work as a policymaker and a policy adviser.

I had a chance to work with Ray in his other hats: chairing the Public Utilities Commission, as a distinguished legislator and majority leader, and, of course, his role here in Congress.

I appreciate the product we have before us today. I have enjoyed listening to people reaffirm areas that they are proud of, making a difference for people.

I appreciate, in particular, the authorization of new spending to help broadcasters' expenses relating to spectrum reallocation. This is very important, especially for public broadcasting stations.

But I want to raise one item of concern, and I hope the chairman and ranking member would work with us to look at the bill's study of spectrum for commercial uses dealing with the mid-band, or C-band, to consider public broadcasting.

I fear that if we are thrust into competitive bidding with public broadcasting, they are likely to not be able to compete effectively. But it will affect millions of people across the country.

I applaud the committee's bipartisanship and work with the Senate, but I hope that future consideration of the impact of C-band reallocation on public broadcasting would be something that the committee could look at to make sure that we are protecting those vital interests.

Mr. WALDEN. Mr. Speaker, I would concur with my friend's comments. I am happy to work on these issues involving spectrum. I know there are multiple uses around, and we want to make sure that those using these frequencies are not disadvantaged. I look forward to working with the gentleman on that.

Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), a distinguished member of the Energy and Commerce Committee. He also happens to have a pretty important title around here as the whip of the House. He has been very involved in telecommunications policies since he first came on the Energy and Commerce Committee.

Mr. SCALISE. Mr. Speaker, I thank the chairman for yielding and for his leadership working together in a very bipartisan way to bring forward RAY BAUM'S Act. Not only is this piece of legislation important to reauthorize the FCC and the important work that they do, but it also is a fitting tribute

to Ray Baum himself and, in so many ways, to all of the work that our great staffs do to allow this Capitol to work properly and to allow Congress to work for the American people.

It doesn't just take Members of Congress, but an incredibly dedicated and talented staff, and each of us are blessed to have wonderful staffs—I am surely no exception—who allow us to do our jobs so well. The fact that we are using this legislation to pay tribute to Ray Baum and all of the staff of the Capitol, I think, is equally important that we do just this.

Mr. Speaker, President Trump challenged Congress to make the Federal Government more accountable to the American people and to eliminate red tape that hurts job creation and economic growth. The RAY BAUM'S Act does just that.

First of all, we meet those two goals by doing a number of things. The legislation will reauthorize the Federal Communications Commission for the first time in 28 years.

The FCC does important work for our country, especially in the telecommunications arena. I am proud to continue to serve on the Communications and Technology Subcommittee, which is one of the great examples of United States dominance—America is the dominant force in technology—and it is important that we have fair rules of the game. The FCC is that arbiter. The fact that they haven't been reauthorized for 28 years, I think, it is long past due that we get this done. We also make critical reforms that will modernize the agencies with tools that it needs to meet the demands of consumers for the 21st century.

This legislation creates an important backstop for our local radio and TV broadcasters who have been completing the final stage of the incentive auction. This keeps America on track to be the global leader on 5G communications by implementing new spectrum policy.

This is something our committee has led on. The country needs more spectrum. We have been able to find creative ways to free up more spectrum so that billions of dollars of private sector investment can be used to build out these great networks in 3G, 4G, and, now, 5G so that we can continue to advance technology.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WALDEN. Mr. Speaker, I yield the gentleman from Louisiana an additional 1 minute.

Mr. SCALISE. Mr. Speaker, I would like to also thank Chairwoman BLACKBURN for including the FCC Consolidated Reporting Act that I worked so closely on with Senator HELLER for years to try to get this legislation passed. This is included as part of this legislation. This will provide relief to so many job creators and to the FCC by consolidating and eliminating so many outdated reporting requirements.

What do I mean by eliminating outdated reporting requirements, Mr. Speaker?

How often do we hear about things that are on the books, laws that are on the books that are so outdated and so unnecessary? This is one of the reports that we are outdated in this bill.

Right now, there is still, on the books, a requirement that the FCC report on the annual competition within the telegraph industry. Mr. Speaker, that is right.

Since Samuel Morse invented the telegraph back in the 1830s, that might have been important in the 1800s, even in the early 1900s; but the fact that today, in 2018, there is still a requirement that the FCC issue a report on competition within the telegraph industry is a glaring example of why it is so important for us to update our laws and eliminate outdated laws.

We are getting rid of this ridiculous requirement and a number of other unnecessary and ridiculous requirements like that so that we can free the FCC up to do the important work they need to do.

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So, again, I commend the chairman for the work that he has done in a very bipartisan way to bring forth the RAY BAUM'S Act, and I urge all of my colleagues to support this legislation.

Mr. PALLONE. Mr. Speaker, I have no additional speakers, and I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. WALBERG), who has been a very important member of our committee and active on these issues, and he had a provision in this legislation as well.

Mr. WALBERG. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, I would first like to start off by remembering Ray Baum, whom this legislation is named after, very appropriately, and I thank the chairman for sharing him with us. As was correctly stated by the whip, we appreciate the staff that does so much work for us. Leaders like Ray Baum are special. He will be missed, but we will carry on in his memory and in the quality of service that he supplied.

The RAY BAUM'S Act does something that hasn't been done in over 28 years: it reauthorized the Federal Communications Commission. It is amazing to think that we have a commission as important as that and it hasn't been authorized—or reauthorized, or reauthorized. It is time to do it and bring it up to this century, as well, and beyond.

This bipartisan bill is good, forward-thinking policy that modernizes the FCC to ensure it is more transparent, efficient, and able to tackle the issues of the 21st century. It maintains the credibility of spectrum auctions and the promise of the FCC made to Michigan broadcasters.

It paves the way for new spectrum auctions that will allow for the United States to maintain its leadership in developing and deploying technologies such as 5G and, ultimately, win the race to 5G.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WALDEN. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Michigan.

Mr. WALBERG. Additionally, it requires the FCC to report to Congress on its efforts to promote broadband internet access for veterans, especially low-income and rural veterans.

I would love to have broadband to my home, as well.

This bill is critical for consumers and our Nation's telecommunications infrastructure, and I urge its passage today.

Mr. PALLONE. Mr. Speaker, in closing, I just want to say, again, that this bill is a bipartisan bill. There has been a lot of work done on both sides of the aisle. I appreciate the fact that we are able to accomplish this and also include a lot of initiatives from Members on both sides of the aisle. And, again, as a tribute to Ray Baum and all that he did for us over the many years, I am proud to say that we enthusiastically support the bill and urge its passage.

Mr. Speaker, I yield back the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank my friend from New Jersey for his good work on this legislation and his kind words in memory of our mutual friend, Ray Baum.

I think it would be appropriate, as well, to thank the staff who put so much work into this, including Robin Colwell, Tim Kurth, Sean Farrell, Lauren McCarty, Evan Viau, and Elena Hernandez on the Republican side, and David Goldman, Gerald Leverich, and Dan Miller on the minority side. We thank all of them for working both here and on the Senate side.

Mr. Speaker, I just want to quickly go through the provisions again, because this really is important.

For more than a quarter of a century, the FCC has not been reauthorized. We do that here, thanks to Chairwoman BLACKBURN's legislation.

Second, we take care of our broadcasters, both public and private, and their translators, including FM translators as well as public broadcasting.

Mr. PALLONE has been a long champion of the repack effort and, of course, his SANDY legislation.

You heard from Mr. SCALISE on the legislation to consolidate redundant and outdated FCC reports: get rid of the ones we don't need, streamline the rest, and bring efficiency.

Mr. JOHNSON's legislation to establish an independent inspector general at the FCC, this is just good government we can all embrace.

Congresswoman MIMI WALTERS' legislation gives the chief information officer of the FCC the authority to play a significant role in planning, budgeting, and programming.

Congresswoman GRACE MENG's bill to prohibit spoofing calls or texts originating outside the U.S., plus an 18-month shot clock, is put on the FCC to



conduct rulemaking in this matter. I think we are all kind of getting tired of those spoofs we get on our phones. It looks like they are coming from our hometowns, and it turns out they are not. We are going to try to get to the bottom of this and have the FCC work to do that.

Congressman GUTHRIE and Congresswoman MATSUI's bill to include a spectrum auction deposit fix, this will actually allow future actions to go forward legally. They couldn't do that under existing law because of an interpretation, and so we fixed that. That was very, very important.

Congressmen MCNERNEY and KINZINGER's legislation to require the FCC to report to Congress on promoting internet excess for veterans, we all know how important that is, especially those low-income veterans in our rural communities.

Congressman LOEBSACK's legislation to improve mapping methodology for mobile coverage, we need to know where we have service in America and where we don't and have numbers we can trust.

Representative RUIZ's legislation is very, very important, dealing with broadband in Tribal areas and carrying out rulemaking to address unserved Tribal areas. We have lots of Tribal areas in our country that lack service.

ANNA ESHOO's legislation to provide further improvements on 911 caller information that builds on Kari's Law that we have already approved, that is really, really important.

And, again, ELIOT ENGEL's legislation requires the National Telecommunications and Information Administration, the NTIA, to study and consider how the agency can best coordinate the interagency process following cybersecurity incidents.

It just goes on and on, including Senator THUNE's MOBILE NOW Act that will help us move forward on 5G.

So, as you can see, this is comprehensive, thoughtful, well-written legislation on telecommunications, moves our country forward, reauthorizes the FCC, and is a fitting tribute to my friend and our policy leader, Mr. Ray Baum from Oregon.

Mr. Speaker, I encourage my colleagues to support this legislation, and I yield back the balance of my time.

Ms. ESHOO. Mr. Speaker, I rise today in support of H.R. 4986, the RAY BAUM'S Act, the first FCC reauthorization in 28 years, named for our dear friend, the late Ray Baum.

This bill is the product of many long hours of hard work to achieve a bipartisan, bicameral compromise. While no bill is perfect, this legislation contains many solid policy advancements for digital communications in the 21st century.

I'm especially glad to see two bills I've championed for many years included in this package, 'Dig Once' which I first introduced in 2009, and the RESPONSE Act, which I first introduced in 2010. Broadband is essential for every community in our country to function today, just as the physical roads and bridges we travel on are. For nearly a decade, I've

been pushing for a 'Dig Once' policy, a commonsense proposal to ensure broadband conduit is included in the buildout of roads and highways when they're being built and where there's a demonstrated need for broadband access, rather than tearing up roads later. Dig Once will enable states to make it easier for broadband providers to enter new and underserved markets by laying the broadband conduit during construction.

H.R. 4986 also includes the RESPONSE Act that ensures that multi-line telephones commonly found in office buildings and hotels are equipped with location accuracy technologies. This is essential for responders to locate a 911 caller in a large building as quickly as possible because lives are literally on the line and every second counts. This provision will help save lives.

I'm disappointed that the FCC Collaboration Act was excluded from the final version of H.R. 4986. This is another bipartisan, commonsense proposal that I have consistently introduced since 2009. It passed out of the Communications and Technology subcommittee, the full Energy and Commerce committee, and previously passed the full House, all with bipartisan support. All of the former Democratic and Republican FCC members have supported this policy one hundred percent. It's unfortunate that despite such broad support, this provision was stripped from the final bill despite our work in Committee.

I also want to express my concerns about some parts of the bill which consolidate the FCC's reporting on issues like price hikes, competition, and program diversity, and the scaling back of provisions on critical unlicensed spectrum. I worry that we'll regret weakening these public interest policies. Nonetheless, I support H.R. 4986 as a set of largely positive developments for consumers, policymakers, and many other stakeholders in the communications marketplace. I want to thank Chairman Walden for his hard work on this, and urge my colleagues to vote YES on H.R. 4986, the RAY BAUM'S Act of 2018.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 4986, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to amend the Communications Act of 1934 to reauthorize appropriations for the Federal Communications Commission, and for other purposes."

A motion to reconsider was laid on the table.

#### POLITICAL APPOINTEE BURROWING PREVENTION ACT

Mr. BLUM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1132) to amend title 5, United States Code, to provide for a 2-year prohibition on employment in a career civil service position for any former political appointee, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1132

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Political Appointee Burrowing Prevention Act".

#### SEC. 2. LIMITATION ON EMPLOYMENT OF POLITICAL APPOINTEES IN CAREER CIVIL SERVICE POSITIONS.

(a) IN GENERAL.—Subchapter I of chapter 31 of title 5, United States Code, is amended by adding at the end the following:

##### "§ 3115. Employment of political appointees

"(a) APPOINTMENT APPROVAL REQUIRED.—

"(1) IN GENERAL.—The head of an agency may not appoint any individual described in paragraph (5) to a career position within the agency without receiving prior written approval from the Associate Director of Merit Systems Accountability and Compliance, consistent with the requirements of this subsection.

"(2) REQUEST.—The head of an agency shall submit a request to the Associate Director to approve the appointment of any individual described in paragraph (5) to a career position. Any such request shall include certification by the head of the agency to the Associate Director that the appointment is necessary for the agency to meet its mission.

"(3) REVIEW AND DETERMINATION.—The Associate Director shall review any request received pursuant to paragraph (2) and deny any such request unless the Associate Director determines that the appointment process with respect to the request was fair, open, and free from political influence. If the Associate Director makes that determination, the Associate Director may approve the request.

"(4) NOTIFICATION TO CONGRESS.—With respect to any request approved under paragraph (3), the Associate Director shall, not less than five days before the date the Associate Director provides approval to the head of the requesting agency, provide to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate the agency certification under paragraph (2) and the agency head's rationale for that certification.

"(5) COVERED INDIVIDUALS.—An individual described in this paragraph is—

"(A) a political appointee;

"(B) a former political appointee who held any political position during the five-year period before the date of the request described in paragraph (2); or

"(C) at the discretion of the Director of the Office of Personnel Management, a former political appointee who held any political position before the five-year period described in subparagraph (B).

"(b) RESTRICTION ON APPOINTMENT.—

"(1) IN GENERAL.—Notwithstanding any other law, rule, or regulation, during the 2-year period following the date a political appointee leaves or departs from a political position, such appointee may not be appointed to any career position in the civil service.

"(2) EXCEPTION.—Paragraph (1) shall not apply to a political appointee who has not personally and substantially participated in any particular matter while employed in a political position.

"(c) APPLICATION.—Nothing in this section shall be construed to restrict the appointment of an individual who is—

"(1) entitled to reinstatement under section 3593(b); or

"(2) eligible for reinstatement under section 3593(a).