

1 **DIVISION P—RAY BAUM’S ACT**

2 **OF 2018**

3 **SEC. 1. SHORT TITLE; TABLE OF CONTENTS.**

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

8 (b) **TABLE OF CONTENTS.**—The table of contents for
9 this division 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

See. 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. Joint board recommendation.

Sec. 511. Disclaimer for press releases regarding notices of apparent liability.
Sec. 512. Reports related to spectrum auctions.

TITLE VI—MOBILE NOW

- Sec. 601. Short title.
- Sec. 602. Definitions.
- Sec. 603. Identifying 255 megahertz.
- Sec. 604. Millimeter wave spectrum.
- Sec. 605. 3 gigahertz spectrum.
- Sec. 606. Communications facilities deployment on Federal property.
- Sec. 607. Broadband infrastructure deployment.
- Sec. 608. Communications facilities installation.
- Sec. 609. Reallocation incentives.
- Sec. 610. Bidirectional sharing study.
- Sec. 611. Unlicensed services in guard bands.
- Sec. 612. Pre-auction funding.
- Sec. 613. Immediate transfer of funds.
- Sec. 614. Amendments to the Spectrum Pipeline Act of 2015.
- Sec. 615. GAO assessment of unlicensed spectrum and Wi-Fi use in low-income neighborhoods.
- Sec. 616. Rulemaking related to partitioning or disaggregating licenses.
- Sec. 617. Unlicensed spectrum policy.
- Sec. 618. National plan for unlicensed spectrum.
- Sec. 619. Spectrum challenge prize.
- Sec. 620. Wireless telecommunications tax and fee collection fairness.
- Sec. 621. Rules of construction.
- Sec. 622. Relationship to Middle Class Tax Relief and Job Creation Act of 2012.
- Sec. 623. No additional funds authorized.

1 SEC. 2. COMMISSION DEFINED.

2 In this division, the term “Commission” means the
3 Federal Communications Commission.

4 **TITLE I—FCC**

5 **REAUTHORIZATION**

6 SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

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

1 “SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

2 “(a) AUTHORIZATION.—There are authorized to be
3 appropriated to the Commission to carry out the functions
4 of the Commission \$333,118,000 for fiscal year 2019 and
5 \$339,610,000 for fiscal year 2020.

6 “(b) OFFSETTING COLLECTIONS.—The sum appro-
7 priated in any fiscal year to carry out the activities de-
8 scribed in subsection (a), to the extent and in the amounts
9 provided for in Appropriations Acts, shall be derived from
10 fees authorized by section 9.”.

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

14 (1) in the first sentence, by striking “an inter-
15 est bearing account” and all that follows and insert-
16 ing “the Treasury.”;

17 (2) in clause (i)—

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

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

24 (3) in clause (ii), by striking “; and” and in-
25 serting “, and payments representing the return of
26 such deposits shall not be subject to administrative

1 offset under section 3716(c) of title 31, United
2 States Code.”; and

3 (4) by striking clause (iii).

4 (c) ELIMINATION OF DUPLICATIVE AUTHORIZATION
5 OF APPROPRIATIONS.—

6 (1) IN GENERAL.—Section 710 of the Tele-
7 communications Act of 1996 (Public Law 104–104)
8 is repealed.

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

12 (d) TRANSFER OF FUNDS.—On the effective date de-
13 scribed in section 103 of this title, any amounts in the
14 account providing appropriations to carry out the func-
15 tions of the Commission that were collected in excess of
16 the amounts provided for in Appropriations Acts in any
17 fiscal year prior to such date shall be transferred to the
18 general fund of the Treasury of the United States for the
19 sole purpose of deficit reduction.

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

21 (a) APPLICATION FEES.—Section 8 of the Commu-
22 nications Act of 1934 (47 U.S.C. 158) is amended to read
23 as follows:

1 **“SEC. 8. APPLICATION FEES.**

2 “(a) GENERAL AUTHORITY; ESTABLISHMENT OF
3 SCHEDULE.—The Commission shall assess and collect ap-
4 plication fees at such rates as the Commission shall estab-
5 lish in a schedule of application fees to recover the costs
6 of the Commission to process applications.

7 “(b) ADJUSTMENT OF SCHEDULE.—

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

16 “(A) increased or decreased by the per-
17 centage change in the Consumer Price Index
18 during the period beginning on such date and
19 ending on the date of the review; and

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

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

24 “(A) in the case of a fee the current
25 amount of which is less than \$200, the adjust-

1 ment would result in a change in the current
2 amount of less than \$10; or

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

7 “(3) CURRENT AMOUNT DEFINED.—In para-
8 graph (2), the term ‘current amount’ means, with
9 respect to a fee, the amount of the fee on the date
10 when the fee was established, the date when the fee
11 was last adjusted under paragraph (1), or the date
12 when the fee was last amended under subsection (c),
13 whichever is latest.

14 “(c) AMENDMENTS TO SCHEDULE.—In addition to
15 the adjustments required by subsection (b), the Commis-
16 sion shall by rule amend the schedule of application fees
17 established under this section if the Commission deter-
18 mines that the schedule requires amendment—

19 “(1) so that such fees reflect increases or de-
20 creases in the costs of processing applications at the
21 Commission; or

22 “(2) so that such schedule reflects the consoli-
23 dation or addition of new categories of applications.

24 “(d) EXCEPTIONS.—

1 “(1) PARTIES TO WHICH FEES ARE NOT APPLI-
2 CABLE.—The application fees established under this
3 section shall not be applicable to—

4 “(A) a governmental entity;
5 “(B) a nonprofit entity licensed in the
6 Local Government, Police, Fire, Highway Main-
7 tenance, Forestry-Conservation, Public Safety,
8 or Special Emergency Radio radio services; or
9 “(C) a noncommercial radio station or
10 noncommercial television station.

11 “(2) COST OF COLLECTION.—If, in the judg-
12 ment of the Commission, the cost of collecting an
13 application fee established under this section would
14 exceed the amount collected, the Commission may by
15 rule eliminate such fee.

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

19 (b) REGULATORY FEES.—Section 9 of the Commu-
20 nications Act of 1934 (47 U.S.C. 159) is amended to read
21 as follows:

22 **“SEC. 9. REGULATORY FEES.**

23 “(a) GENERAL AUTHORITY.—The Commission shall
24 assess and collect regulatory fees to recover the costs of
25 carrying out the activities described in section 6(a) only

1 to the extent, and in the total amounts, provided for in
2 Appropriations Acts.

3 “(b) ESTABLISHMENT OF SCHEDULE.—The Com-
4 mission shall assess and collect regulatory fees at such
5 rates as the Commission shall establish in a schedule of
6 regulatory fees that will result in the collection, in each
7 fiscal year, of an amount that can reasonably be expected
8 to equal the amounts described in subsection (a) with re-
9 spect to such fiscal year.

10 “(c) ADJUSTMENT OF SCHEDULE.—

11 “(1) IN GENERAL.—For each fiscal year, the
12 Commission shall by rule adjust the schedule of reg-
13 ulatory fees established under this section to—

14 “(A) reflect unexpected increases or de-
15 creases in the number of units subject to the
16 payment of such fees; and

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

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

22 “(d) AMENDMENTS TO SCHEDULE.—In addition to
23 the adjustments required by subsection (c), the Commis-
24 sion shall by rule amend the schedule of regulatory fees
25 established under this section if the Commission deter-

1 mines that the schedule requires amendment so that such
2 fees reflect the full-time equivalent number of employees
3 within the bureaus and offices of the Commission, ad-
4 justed to take into account factors that are reasonably re-
5 lated to the benefits provided to the payor of the fee by
6 the Commission's activities. In making an amendment
7 under this subsection, the Commission may not change the
8 total amount of regulatory fees required by subsection (b)
9 to be collected in a fiscal year.

10 “(e) EXCEPTIONS.—

11 “(1) PARTIES TO WHICH FEES ARE NOT APPLI-
12 CABLE.—The regulatory fees established under this
13 section shall not be applicable to—

14 “(A) a governmental entity or nonprofit
15 entity;

16 “(B) an amateur radio operator licensee
17 under part 97 of the Commission's rules (47
18 CFR part 97); or

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

21 “(2) COST OF COLLECTION.—If, in the judg-
22 ment of the Commission, the cost of collecting a reg-
23 ulatory fee established under this section from a
24 party would exceed the amount collected from such

1 party, the Commission may exempt such party from
2 paying such fee.

3 "(f) DEPOSIT OF COLLECTIONS.—

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

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

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

19 "SEC. 9A. PROVISIONS APPLICABLE TO APPLICATION AND
20 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.

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

3 “(1) of any adjustment under section 8(b) or
4 9(c) immediately upon the adoption of such adjust-
5 ment; and

6 “(2) of any amendment under section 8(c) or
7 9(d) not later than 90 days before the effective date
8 of such amendment.

9 “(c) ENFORCEMENT.—

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

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

24 “(3) DISMISSAL OF APPLICATIONS OR FIL-
25 INGS.—The Commission may dismiss any applica-

1 tion or other filing for failure to pay in a timely
2 manner any fee under section 8 or 9 or any interest
3 or additional penalty under this subsection.

4 “(4) REVOCATIONS.—

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

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

23 “(C) HEARING.—

24 “(i) GENERALLY NOT REQUIRED.—A
25 hearing is not required under this para-

1 graph unless the licensee's response pre-
2 sents a substantial and material question
3 of fact.

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

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

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

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

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

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

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

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

13 “(f) ACCOUNTING SYSTEM.—The Commission shall
14 develop accounting systems necessary to make the amend-
15 ments authorized by sections 8(c) and 9(d.)”.

16 (d) TRANSITIONAL RULES.—

17 (1) APPLICATION FEES.—An application fee es-
18 tablished under section 8 of the Communications Act
19 of 1934, as such section is in effect on the day be-
20 fore the effective date described in section 103 of
21 this title, shall remain in effect under section 8 of
22 the Communications Act of 1934, as amended by
23 subsection (a) of this section, until such time as the
24 Commission adjusts or amends such fee under sub-
25 section (b) or (c) of such section 8, as so amended.

1 (2) REGULATORY FEES.—A regulatory fee es-
2 tablished under section 9 of the Communications Act
3 of 1934, as such section is in effect on the day be-
4 fore the effective date described in section 103 of
5 this title, shall remain in effect under section 9 of
6 the Communications Act of 1934, as amended by
7 subsection (b) of this section, until such time as the
8 Commission adjusts or amends such fee under sub-
9 section (c) or (d) of such section 9, as so amended.

10 (e) RULEMAKING TO AMEND SCHEDULE OF REGU-
11 LATORY FEES.—

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

18 (2) REPORT TO CONGRESS.—If the Commission
19 has not completed the rulemaking proceeding re-
20 quired by paragraph (1) by the date that is 6
21 months after the effective date described in section
22 103 of this title, the Commission shall submit to
23 Congress a report on the progress of such rule-
24 making proceeding.

1 SEC. 103. EFFECTIVE DATE.

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

**4 TITLE II—APPLICATION OF
5 ANTIDEFICIENCY ACT****6 SEC. 201. APPLICATION OF ANTIDEFICIENCY ACT TO UNI-****7 VERSAL SERVICE PROGRAM.**

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

**11 TITLE III—SECURING ACCESS TO
12 NETWORKS IN DISASTERS****13 SEC. 301. STUDY ON NETWORK RESILIENCY.**

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

19 (1) making telecommunications service pro-
20 vider-owned WiFi access points, and other commu-
21 nications technologies operating on unlicensed spec-
22 trum, available to the general public for access to 9–
23 1–1 services, without requiring any login credentials,
24 during times of emergency when mobile service is
25 unavailable;

- 1 (2) the provision by non-telecommunications
2 service provider-owned WiFi access points of public
3 access to 9–1–1 services during times of emergency
4 when mobile service is unavailable; and
5 (3) other alternative means of providing the
6 public with access to 9–1–1 services during times of
7 emergency when mobile service is unavailable.

8 **SEC. 302. ACCESS TO ESSENTIAL SERVICE PROVIDERS DUR-
9 ING FEDERALLY DECLARED EMERGENCIES.**

10 Section 427(a) of the Robert T. Stafford Disaster Re-
11 lief and Emergency Assistance Act (42 U.S.C. 5189e(a))
12 is amended—

- 13 (1) in paragraph (1)—
14 (A) in subparagraph (A), by striking “tele-
15 communications service” and inserting “wireline
16 or mobile telephone service, Internet access
17 service, radio or television broadcasting, cable
18 service, or direct broadcast satellite service”;
19 (B) in subparagraph (E), by striking the
20 semicolon and inserting “; or”;
21 (C) by redesignating subparagraphs (A)
22 through (E) as clauses (i) through (v), respec-
23 tively; and
24 (D) by adding at the end of the following:
25 “(B) is a tower owner or operator;”; and

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

3 **SEC. 303. DEFINITIONS.**

4 As used in this title—

5 (1) the term “mobile service” means commer-
6 cial mobile service (as defined in section 332 of the
7 Communications Act of 1934 (47 U.S.C. 332)) or
8 commercial mobile data service (as defined in section
9 6001 of the Middle Class Tax Relief and Job Cre-
10 ation Act of 2012 (47 U.S.C. 1401));

11 (2) the term “WiFi access point” means wire-
12 less Internet access using the standard designated as
13 802.11 or any variant thereof; and

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

20 **TITLE IV—FCC CONSOLIDATED
21 REPORTING**

22 **SEC. 401. COMMUNICATIONS MARKETPLACE REPORT.**

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

1 “SEC. 13. COMMUNICATIONS MARKETPLACE REPORT.

2 “(a) IN GENERAL.—In the last quarter of every even-
3 numbered year, the Commission shall publish on its
4 website and submit to the Committee on Energy and Com-
5 merce of the House of Representatives and the Committee
6 on Commerce, Science, and Transportation of the Senate
7 a report on the state of the communications marketplace.

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

10 “(1) assess the state of competition in the com-
11 munications marketplace, including competition to
12 deliver voice, video, audio, and data services among
13 providers of telecommunications, providers of com-
14 mercial mobile service (as defined in section 332),
15 multichannel video programming distributors (as de-
16 fined in section 602), broadcast stations, providers
17 of satellite communications, Internet service pro-
18 viders, and other providers of communications serv-
19 ices;

20 “(2) assess the state of deployment of commu-
21 nications capabilities, including advanced tele-
22 communications capability (as defined in section 706
23 of the Telecommunications Act of 1996 (47 U.S.C.
24 1302)), regardless of the technology used for such
25 deployment;

1 “(3) assess whether laws, regulations, regu-
2 latory practices (whether those of the Federal Gov-
3 ernment, States, political subdivisions of States, In-
4 dian tribes or tribal organizations (as such terms are
5 defined in section 4 of the Indian Self-Determination
6 and Education Assistance Act (25 U.S.C. 5304)), or
7 foreign governments), or demonstrated marketplace
8 practices pose a barrier to competitive entry into the
9 communications marketplace or to the competitive
10 expansion of existing providers of communications
11 services;

12 “(4) describe the agenda of the Commission for
13 the next 2-year period for addressing the challenges
14 and opportunities in the communications market-
15 place that were identified through the assessments
16 under paragraphs (1) through (3); and

17 “(5) describe the actions that the Commission
18 has taken in pursuit of the agenda described pursu-
19 ant to paragraph (4) in the previous report sub-
20 mitted under this section.

21 “(c) EXTENSION.—If the President designates a
22 Commissioner as Chairman of the Commission during the
23 last quarter of an even-numbered year, the portion of the
24 report required by subsection (b)(4) may be published on
25 the website of the Commission and submitted to the Com-

1 mittee on Energy and Commerce of the House of Rep-
2 resentatives and the Committee on Commerce, Science,
3 and Transportation of the Senate as an addendum during
4 the first quarter of the following odd-numbered year.

5 “(d) SPECIAL REQUIREMENTS.—

6 “(1) ASSESSING COMPETITION.—In assessing
7 the state of competition under subsection (b)(1), the
8 Commission shall consider all forms of competition,
9 including the effect of intermodal competition, facili-
10 ties-based competition, and competition from new
11 and emergent communications services, including the
12 provision of content and communications using the
13 Internet.

14 “(2) ASSESSING DEPLOYMENT.—In assessing
15 the state of deployment under subsection (b)(2), the
16 Commission shall compile a list of geographical
17 areas that are not served by any provider of ad-
18 vanced telecommunications capability.

19 “(3) CONSIDERING SMALL BUSINESSES.—In as-
20 sessing the state of competition under subsection
21 (b)(1) and regulatory barriers under subsection
22 (b)(3), the Commission shall consider market entry
23 barriers for entrepreneurs and other small busi-
24 nesses in the communications marketplace in accord-
25 ance with the national policy under section 257(b).”.

1 SEC. 402. CONSOLIDATION OF REDUNDANT REPORTS; CON-**2 FORMING AMENDMENTS.**

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

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

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

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

19 (1) by striking subsection (g);
20 (2) by redesignating subsection (j) as sub-
21 section (g); and

22 (3) by transferring subsection (g) (as redesig-
23 nated) so that it appears after subsection (f).

24 (e) REPORT ON CABLE INDUSTRY PRICES.—Section
25 623(k) of the Communications Act of 1934 (47 U.S.C.
26 543(k)) is amended—

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

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

6 (f) TRIENNIAL REPORT IDENTIFYING AND ELIMI-
7 NATING MARKET ENTRY BARRIERS FOR ENTRE-
8 PRENEURS AND OTHER SMALL BUSINESSES.—Section
9 257 of the Communications Act of 1934 (47 U.S.C. 257)
10 is amended by striking subsection (c).

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

16 (h) PREVIOUSLY ELIMINATED ANNUAL REPORT.—

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

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

20 (B) by redesignating subsections (l)
21 through (o) as subsections (k) through (n), re-
22 spectively.

23 (2) CONFORMING AMENDMENT.—Section
24 309(j)(8)(B) of the Communications Act of 1934

1 (47 U.S.C. 309(j)(8)(B)) is amended by striking the
2 last sentence.

3 (i) ADDITIONAL OUTDATED REPORTS.—The Com-
4 munications Act of 1934 is further amended—

5 (1) in section 4—

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

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

12 (2) in section 215—

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

14 (B) by redesignating subsection (c) as sub-
15 section (b);

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

17 (4) in section 309(j)—

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

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

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

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

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

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

5 (8) in section 396—

6 (A) by striking subsection (i);

7 (B) in subsection (k)—

8 (i) in paragraph (1), by striking sub-
9 paragraph (F); and

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

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

15 (D) by striking subsection (m);

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

18 (10) in section 624A(b)(1)—

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

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

1 (C) by striking “Within 180 days after”
2 and all that follows through “to assure such
3 compatibility.”; and
4 (11) in section 713, by striking subsection (a).

5 **SEC. 403. EFFECT ON AUTHORITY.**

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

9 **SEC. 404. OTHER REPORTS.**

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

14 **TITLE V—ADDITIONAL
15 PROVISIONS**

16 **SEC. 501. INDEPENDENT INSPECTOR GENERAL FOR FCC.**

17 (a) AMENDMENTS.—The Inspector General Act of
18 1978 (5 U.S.C. App.) is amended—

19 (1) in section 8G(a)(2), by striking “the Fed-
20 eral Communications Commission.”; and
21 (2) in section 12—

22 (A) in paragraph (1), by inserting “, the
23 Federal Communications Commission.” after
24 “the Chairman of the Nuclear Regulatory Com-
25 mission”; and

4 (b) TRANSITION RULE.—An individual serving as In-
5 spector General of the Commission on the date of the en-
6 actment of this Act pursuant to an appointment made
7 under section 8G of the Inspector General Act of 1978
8 (5 U.S.C. App.)—

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

19 SEC. 502. AUTHORITY OF CHIEF INFORMATION OFFICER.

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

(1) the decision-making process for annual and multi-year planning, programming, budgeting, and

1 execution decisions, related reporting requirements,
2 and reports related to information technology;

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

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

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

15 **SEC. 503. SPOOFING PREVENTION.**

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

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

1 in connection with any voice service or text mes-
2 saging service”.

3 (2) COVERAGE OF TEXT MESSAGES AND VOICE
4 SERVICES.—Section 227(e)(8) of the Communica-
5 tions Act of 1934 (47 U.S.C. 227(e)(8)) is amend-
6 ed—

7 (A) in subparagraph (A), by striking “tele-
8 communications service or IP-enabled voice
9 service” and inserting “voice service or a text
10 message sent using a text messaging service”;

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

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

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

20 “(i) means a message consisting of
21 text, images, sounds, or other information
22 that is transmitted to or from a device that
23 is identified as the receiving or transmit-
24 ting device by means of a 10-digit tele-
25 phone number or N11 service code;

1 “(ii) includes a short message service
2 (commonly referred to as ‘SMS’) message
3 and a multimedia message service (com-
4 monly referred to as ‘MMS’) message; and
5 “(iii) does not include—

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

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

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

18 “(E) VOICE SERVICE.—The term ‘voice
19 service’—

20 “(i) means any service that is inter-
21 connected with the public switched tele-
22 phone network and that furnishes voice
23 communications to an end user using re-
24 sources from the North American Num-
25 bering Plan or any successor to the North

1 American Numbering Plan adopted by the
2 Commission under section 251(e)(1); and

3 “(ii) includes transmissions from a
4 telephone facsimile machine, computer, or
5 other device to a telephone facsimile ma-
6 chine.”.

7 (3) TECHNICAL AMENDMENT.—Section 227(e)
8 of the Communications Act of 1934 (47 U.S.C.
9 227(e)) is amended in the heading by inserting
10 “MISLEADING OR” before “INACCURATE”.

11 (4) REGULATIONS.—

12 (A) IN GENERAL.—Section 227(e)(3)(A) of
13 the Communications Act of 1934 (47 U.S.C.
14 227(e)(3)(A)) is amended by striking “Not
15 later than 6 months after the date of enactment
16 of the Truth in Caller ID Act of 2009, the
17 Commission” and inserting “The Commission”.

18 (B) DEADLINE.—The Commission shall
19 prescribe regulations to implement the amend-
20 ments made by this subsection not later than
21 18 months after the date of enactment of this
22 Act.

23 (5) EFFECTIVE DATE.—The amendments made
24 by this subsection shall take effect on the date that

1 is 6 months after the date on which the Commission
2 prescribes regulations under paragraph (4).

3 (b) CONSUMER EDUCATION MATERIALS ON HOW TO
4 AVOID SCAMS THAT RELY UPON MISLEADING OR INAC-
5 CURATE CALLER IDENTIFICATION INFORMATION.—

6 (1) DEVELOPMENT OF MATERIALS.—Not later
7 than 1 year after the date of enactment of this Act,
8 the Commission, in coordination with the Federal
9 Trade Commission, shall develop consumer edu-
10 cation materials that provide information about—

11 (A) ways for consumers to identify scams
12 and other fraudulent activity that rely upon the
13 use of misleading or inaccurate caller identifica-
14 tion information; and

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

18 (2) CONTENTS.—In developing the consumer
19 education materials under paragraph (1), the Com-
20 mission shall—

21 (A) identify existing technologies, if any,
22 that can help consumers guard themselves
23 against scams and other fraudulent activity
24 that rely upon the use of misleading or inac-

1 curate caller identification information, includ-
2 ing—

(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.

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

23 (1) IN GENERAL.—The Comptroller General of
24 the United States shall conduct a study of the ac-
25 tions the Commission and the Federal Trade Com-

1 mission have taken to combat the fraudulent provi-
2 sion of misleading or inaccurate caller identification
3 information, and the additional measures that could
4 be taken to combat such activity.

5 (2) REQUIRED CONSIDERATIONS.—In con-
6 ducting the study under paragraph (1), the Com-
7 troller General shall examine—

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

11 (B) previous and current enforcement ac-
12 tions by the Commission and the Federal Trade
13 Commission to combat the practices prohibited
14 by section 227(e)(1) of the Communications Act
15 of 1934 (47 U.S.C. 227(e)(1));

16 (C) current efforts by industry groups and
17 other entities to develop technical standards to
18 deter or prevent the fraudulent provision of
19 misleading or inaccurate caller identification in-
20 formation, and how such standards may help
21 combat the current and future provision of mis-
22 leading or inaccurate caller identification infor-
23 mation; and

24 (D) whether there are additional actions
25 the Commission, the Federal Trade Commis-

1 sion, and Congress should take to combat the
2 fraudulent provision of misleading or inaccurate
3 caller identification information.

4 (3) REPORT.—Not later than 18 months after
5 the date of enactment of this Act, the Comptroller
6 General shall submit to the Committee on Energy
7 and Commerce of the House of Representatives and
8 the Committee on Commerce, Science, and Trans-
9 portation of the Senate a report on the findings of
10 the study under paragraph (1), including any rec-
11 ommendations regarding combating the fraudulent
12 provision of misleading or inaccurate caller identi-
13 fication information.

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

18 (1) the Telephone Consumer Protection Act of
19 1991 (Public Law 102–243; 105 Stat. 2394) or the
20 amendments made by that Act; or
21 (2) the CAN–SPAM Act of 2003 (15 U.S.C.
22 7701 et seq.).

1 SEC. 504. REPORT ON PROMOTING BROADBAND INTERNET**2 ACCESS SERVICE FOR VETERANS.**

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

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

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

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

17 (c) PUBLIC NOTICE AND OPPORTUNITY TO COM-
18 MENT.—In preparing the report required by subsection
19 (b), the Commission shall provide the public with notice
20 and an opportunity to comment on broadband Internet ac-
21 cess service for veterans, in particular low-income veterans
22 and veterans residing in rural areas, and how to promote
23 such access.

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

26 (a) DEFINITIONS.—In this section—

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

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

8 (3) the term “coverage data” means, if com-
9 mercial mobile service or commercial mobile data
10 service is available, general information about the
11 service, which may include available speed tiers,
12 radio frequency signal levels, and network and per-
13 formance characteristics; and

14 (4) the term “Universal Service program”
15 means the universal service support mechanisms es-
16 tablished under section 254 of the Communications
17 Act of 1934 (47 U.S.C. 254) and the regulations
18 issued under that section.

19 (b) METHODOLOGY ESTABLISHED.—Not later than
20 180 days after the conclusion of the Mobility Fund Phase
21 II Auction, the Commission shall promulgate regulations
22 to establish a methodology that shall apply to the collec-
23 tion of coverage data by the Commission for the purposes
24 of—

25 (1) the Universal Service program; or

1 (2) any other similar program.

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

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

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

9 (3) improve the validity and reliability of cov-
10 erage data; and

11 (4) increase the efficiency of coverage data col-
12 lection.

13 **SEC. 506. ACCURACY OF DISPATCHABLE LOCATION FOR 9-**
14 **1-1 CALLS.**

15 (a) PROCEEDING REQUIRED.—Not later than 18
16 months after the date of the enactment of this Act, the
17 Commission shall conclude a proceeding to consider adopt-
18 ing rules to ensure that the dispatchable location is con-
19 veyed with a 9–1–1 call, regardless of the technological
20 platform used and including with calls from multi-line
21 telephone systems (as defined in section 6502 of the Mid-
22 dle Class Tax Relief and Job Creation Act of 2012 (47
23 U.S.C. 1471)).

24 (b) RELATIONSHIP TO OTHER PROCEEDINGS.—In
25 conducting the proceeding required by subsection (a), the

1 Commission may consider information and conclusions
2 from other Commission proceedings regarding the accu-
3 racy of the dispatchable location for a 9–1–1 call, but
4 nothing in this section shall be construed to require the
5 Commission to reconsider any information or conclusion
6 from a proceeding regarding the accuracy of the
7 dispatchable location for a 9–1–1 call in which the Com-
8 mission has adopted rules or issued an order before the
9 date of the enactment of this Act.

10 (c) DEFINITIONS.—In this section:

11 (1) 9–1–1 CALL.—The term “9–1–1 call”
12 means a voice call that is placed, or a message that
13 is sent by other means of communication, to a public
14 safety answering point (as defined in section 222 of
15 the Communications Act of 1934 (47 U.S.C. 222))
16 for the purpose of requesting emergency services.

17 (2) DISPATCHABLE LOCATION.—The term
18 “dispatchable location” means the street address of
19 the calling party, and additional information such as
20 room number, floor number, or similar information
21 necessary to adequately identify the location of the
22 calling party.

1 SEC. 507. NTIA STUDY ON INTERAGENCY PROCESS FOL-**2 LOWING CYBERSECURITY INCIDENTS.**

3 (a) IN GENERAL.—The Assistant Secretary of Com-
4 mercial for Communications and Information shall complete
5 a study on how the National Telecommunications and In-
6 formation Administration can best coordinate the inter-
7 agency process following cybersecurity incidents.

8 (b) REPORT TO CONGRESS.—Not later than 18
9 months after the date of the enactment of this Act, the
10 Assistant Secretary shall submit to the Committee on En-
11 ergy and Commerce of the House of Representatives and
12 the Committee on Commerce, Science, and Transportation
13 of the Senate a report detailing the findings and rec-
14 commendations of the study conducted under subsection
15 (a).

16 SEC. 508. TRIBAL DIGITAL ACCESS.

17 (a) TRIBAL BROADBAND DATA REPORT.—

18 (1) IN GENERAL.—Not later than 1 year after
19 the date of the enactment of this Act, the Commis-
20 sion shall submit to the Committee on Energy and
21 Commerce of the House of Representatives and the
22 Committee on Commerce, Science, and Transpor-
23 tation of the Senate a report evaluating broadband
24 coverage in Indian country (as defined in section
25 1151 of title 18, United States Code) and on land

1 held by a Native Corporation pursuant to the Alaska
2 Native Claims Settlement Act.

3 (2) REQUIRED ASSESSMENTS.—The report re-
4 quired by paragraph (1) shall include the following:

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

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

14 (b) TRIBAL BROADBAND PROCEEDING.—Not later
15 than 30 months after the date of the enactment of this
16 Act, the Commission shall complete a proceeding to ad-
17 dress the unserved areas identified in the report under
18 subsection (a).

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

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

22 “(c)(1) A commissioner—

23 “(A) shall be appointed for a term of 5 years;
24 “(B) except as provided in subparagraph (C),
25 may continue to serve after the expiration of the

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

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

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

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

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

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

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

1 SEC. 510. JOINT BOARD RECOMMENDATION.

2 The Commission may not modify, amend, or change
3 its rules or regulations for universal service support pay-
4 ments to implement the February 27, 2004, recommenda-
5 tions of the Federal-State Joint Board on Universal Serv-
6 ice regarding single connection or primary line restrictions
7 on universal service support payments.

8 SEC. 511. DISCLAIMER FOR PRESS RELEASES REGARDING**9 NOTICES OF APPARENT LIABILITY.**

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

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

17 (2) the amount of any forfeiture penalty pro-
18 posed in a notice of apparent liability represents the
19 maximum penalty that the Commission may impose
20 for the violations alleged in the notice of apparent
21 liability.

22 SEC. 512. REPORTS RELATED TO SPECTRUM AUCTIONS.

23 (a) ESTIMATE OF UPCOMING AUCTIONS.—Section
24 309(j) of the Communications Act of 1934 (47 U.S.C.
25 309(j)) is amended by adding at the end the following:

26 “(18) ESTIMATE OF UPCOMING AUCTIONS.—

1 “(A) Not later than September 30, 2018,
2 and annually thereafter, the Commission shall
3 make publicly available an estimate of what sys-
4 tems of competitive bidding authorized under
5 this subsection may be initiated during the up-
6 coming 12-month period.

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

12 (b) AUCTION EXPENDITURE JUSTIFICATION RE-
13 PORT.—Not later than April 1, 2019, and annually there-
14 after, the Commission shall provide to the appropriate
15 committees of Congress a report containing a detailed jus-
16 tification for the use of proceeds retained by the Commis-
17 sion under section 309(j)(8)(B) of the Communications
18 Act of 1934 (47 U.S.C. 309(j)(8)(B)) for the costs of de-
19 veloping and implementing the program required by sec-
20 tion 309(j) of that Act.

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

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

1 (2) the Committee on Appropriations of the
2 Senate;
3 (3) the Committee on Energy and Commerce of
4 the House of Representatives; and
5 (4) the Committee on Appropriations of the
6 House of Representatives.

7 **TITLE VI—MOBILE NOW**

8 **SEC. 601. SHORT TITLE.**

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

13 **SEC. 602. DEFINITIONS.**

14 In this title:

15 (1) APPROPRIATE COMMITTEES OF CON-
16 GRESS.—The term “appropriate committees of Con-
17 gress” means—

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

20 (B) the Committee on Energy and Com-
21 merce of the House of Representatives; and

22 (C) each committee of the Senate or of the
23 House of Representatives with jurisdiction over
24 a Federal entity affected by the applicable sec-
25 tion in which the term appears.

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

3 (3) FEDERAL ENTITY.—The term “Federal en-
4 tity” has the meaning given the term in section
5 113(l) of the National Telecommunications and In-
6 formation Administration Organization Act (47
7 U.S.C. 923(l)).

8 (4) NTIA.—The term “NTIA” means the Na-
9 tional Telecommunications and Information Admin-
10 istration of the Department of Commerce.

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

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

15 **SEC. 603. IDENTIFYING 255 MEGAHERTZ.**

16 (a) REQUIREMENTS.—

17 (1) IN GENERAL.—Not later than December 31,
18 2022, the Secretary, working through the NTIA,
19 and the Commission shall identify a total of at least
20 255 megahertz of Federal and non-Federal spectrum
21 for mobile and fixed wireless broadband use.

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

1 (A) 100 megahertz below the frequency of
2 8000 megahertz shall be identified for use on
3 an unlicensed basis;

4 (B) 100 megahertz below the frequency of
5 6000 megahertz shall be identified for use on
6 an exclusive, licensed basis for commercial mo-
7 bile use, pursuant to the Commission's author-
8 ity to implement such licensing in a flexible
9 manner, and subject to potential continued use
10 of such spectrum by incumbent Federal entities
11 in designated geographic areas indefinitely or
12 for such length of time stipulated in transition
13 plans approved by the Technical Panel under
14 section 113(h) of the National Telecommuni-
15 cations and Information Administration Organi-
16 zation Act (47 U.S.C. 923(h)) for those incum-
17 bent entities to be relocated to alternate spec-
18 trum; and

19 (C) 55 megahertz below the frequency of
20 8000 megahertz shall be identified for use on
21 either a licensed or unlicensed basis, or a com-
22 bination of licensed and unlicensed.

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

1 (A) The frequencies between 1695 and
2 1710 megahertz.

3 (B) The frequencies between 1755 and
4 1780 megahertz.

5 (C) The frequencies between 2155 and
6 2180 megahertz.

7 (D) The frequencies between 3550 and
8 3700 megahertz.

9 (E) Spectrum that the Commission deter-
10 mines had more than de minimis mobile or
11 fixed wireless broadband operations within the
12 band on the day before the date of enactment
13 of this Act.

14 (4) TREATMENT OF CERTAIN OTHER SPEC-
15 TRUM.—Spectrum identified pursuant to this section
16 may include eligible spectrum, if any, identified after
17 the date of enactment of this Act pursuant to title
18 X of the Bipartisan Budget Act of 2015 (Public
19 Law 114–74).

20 (5) SPECTRUM MADE AVAILABLE ON AND
21 AFTER FEBRUARY 11, 2016.—Any spectrum that
22 has been made available for licensed or unlicensed
23 use on and after February 11, 2016, and that other-
24 wise satisfies the requirements of this section may

1 be counted towards the requirements of this sub-
2 section.

3 (6) RELOCATION PRIORITIZED OVER SHAR-
4 ING.—This section shall be carried out in accordance
5 with section 113(j) of the National Telecommuni-
6 cations and Information Administration Organiza-
7 tion Act (47 U.S.C. 923(j)).

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

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

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

15 (C) the international implications;

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

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

21 (b) RULES OF CONSTRUCTION.—Nothing in this sec-
22 tion shall be construed—

23 (1) to impair or otherwise affect the functions
24 of the Director of OMB relating to budgetary, ad-
25 ministrative, or legislative proposals;

1 (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

5 (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.

12 **SEC. 604. MILLIMETER WAVE SPECTRUM.**

13 (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.

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

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

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

(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 603 of this title may be counted towards the requirements of section 603(a) of this title.

17 SEC. 605. 3 GIGAHERTZ SPECTRUM.

18 (a) BETWEEN 3100 MEGAHERTZ AND 3550 MEGA-
19 HERTZ.—Not later than 24 months after the date of en-
20 actment of this Act, and in consultation with the Commis-
21 sion and the head of each affected Federal agency (or a
22 designee thereof), the Secretary, working through the
23 NTIA, shall submit to the Commission and the appro-
24 priate committees of Congress a report evaluating the fea-
25 sibility of allowing commercial wireless services, licensed

1 or unlicensed, to share use of the frequencies between
2 3100 megahertz and 3550 megahertz.

3 (b) BETWEEN 3700 MEGAHERTZ AND 4200 MEGA-
4 HERTZ.—Not later than 18 months after the date of en-
5 actment of this Act, after notice and an opportunity for
6 public comment, and in consultation with the Secretary,
7 working through the NTIA, and the head of each affected
8 Federal agency (or a designee thereof), the Commission
9 shall submit to the Secretary and the appropriate commit-
10 tees of Congress a report evaluating the feasibility of al-
11 lowing commercial wireless services, licensed or unli-
12 censed, to use or share use of the frequencies between
13 3700 megahertz and 4200 megahertz.

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

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

20 (2) An assessment of the possible impacts of
21 such sharing on Federal and non-Federal users al-
22 ready operating on the frequencies described in that
23 subsection.

24 (3) The criteria that may be necessary to en-
25 sure shared licensed or unlicensed services would not

1 cause harmful interference to Federal or non-Fed-
2 eral users already operating in the frequencies de-
3 scribed in that subsection.

11 (d) COMMISSION ACTION.—The Commission, in con-
12 sultation with the NTIA, shall seek public comment on
13 the reports required under subsections (a) and (b), includ-
14 ing regarding the bands identified in such report as fea-
15 sible pursuant to subsection (c)(4).

16 SEC. 606. COMMUNICATIONS FACILITIES DEPLOYMENT ON
17 FEDERAL PROPERTY.

18 (a) IN GENERAL.—Section 6409 of the Middle Class
19 Tax Relief and Job Creation Act of 2012 (47 U.S.C.
20 1455) is amended by striking subsections (b), (c), and (d)
21 and inserting the following:

22 "(b) FEDERAL EASEMENTS, RIGHTS-OF-WAY, AND
23 LEASES.—

“(1) GRANT.—If an executive agency, a State,
a political subdivision or agency of a State, or a per-

1 son, firm, or organization applies for the grant of an
2 easement, right-of-way, or lease to, in, over, or on a
3 building or other property owned by the Federal
4 Government for the right to install, construct, mod-
5 ify, or maintain a communications facility installa-
6 tion, the executive agency having control of the
7 building or other property may grant to the appli-
8 cant, on behalf of the Federal Government, subject
9 to paragraph (3), an easement, right-of-way, or lease
10 to perform such installation, construction, modifica-
11 tion, or maintenance.

12 “(2) APPLICATION.—

13 “(A) IN GENERAL.—The Administrator of
14 General Services shall develop a common form
15 for applications for easements, rights-of-way,
16 and leases under paragraph (1) for all executive
17 agencies that, except as provided in subpara-
18 graph (B), shall be used by all executive agen-
19 cies and applicants with respect to the buildings
20 or other property of each such agency.

21 “(B) EXCEPTION.—The requirement under
22 subparagraph (A) for an executive agency to
23 use the common form developed by the Admin-
24 istrator of General Services shall not apply to
25 an executive agency if the head of an executive

1 agency notifies the Administrator that the exec-
2 utive agency uses a substantially similar appli-
3 cation.

4 “(3) TIMELY CONSIDERATION OF APPLICA-
5 TIONS.—

6 “(A) IN GENERAL.—Not later than 270
7 days after the date on which an executive agen-
8 cy receives a duly filed application for an ease-
9 ment, right-of-way, or lease under this sub-
10 section, the executive agency shall—

11 “(i) grant or deny, on behalf of the
12 Federal Government, the application; and

13 “(ii) notify the applicant of the grant
14 or denial.

15 “(B) EXPLANATION OF DENIAL.—If an ex-
16 ecutive agency denies an application under sub-
17 paragraph (A), the executive agency shall notify
18 the applicant in writing, including a clear state-
19 ment of the reasons for the denial.

20 “(C) APPLICABILITY OF ENVIRONMENTAL
21 LAWS.—Nothing in this paragraph shall be con-
22 strued to relieve an executive agency of the re-
23 quirements of division A of subtitle III of title
24 54, United States Code, or the National Envi-

1 ronmental Policy Act of 1969 (42 U.S.C. 4321
2 et seq.).

3 “(D) POINT OF CONTACT.—Upon receiving
4 an application under subparagraph (A), an ex-
5 ecutive agency shall designate one or more ap-
6 propriate individuals within the executive agen-
7 cy to act as a point of contact with the appli-
8 cant.

9 “(c) MASTER CONTRACTS FOR COMMUNICATIONS
10 FACILITY INSTALLATION SITINGS.—

11 “(1) IN GENERAL.—Notwithstanding section
12 704 of the Telecommunications Act of 1996 (Public
13 Law 104–104; 110 Stat. 151) or any other provision
14 of law, the Administrator of General Services shall—

15 “(A) develop one or more master contracts
16 that shall govern the placement of communica-
17 tions facility installations on buildings and
18 other property owned by the Federal Govern-
19 ment; and

20 “(B) in developing the master contract or
21 contracts, standardize the treatment of the
22 placement of communications facility installa-
23 tions on building rooftops or facades, the place-
24 ment of communications facility installations on
25 rooftops or inside buildings, the technology used

1 in connection with communications facility in-
2 stallations placed on Federal buildings and
3 other property, and any other key issues the
4 Administrator of General Services considers ap-
5 propriate.

6 “(2) APPLICABILITY.—The master contract or
7 contracts developed by the Administrator of General
8 Services under paragraph (1) shall apply to all pub-
9 licly accessible buildings and other property owned
10 by the Federal Government, unless the Adminis-
11 trator of General Services decides that issues with
12 respect to the siting of a communications facility in-
13 stallation on a specific building or other property
14 warrant nonstandard treatment of such building or
15 other property.

16 “(3) APPLICATION.—

17 “(A) IN GENERAL.—The Administrator of
18 General Services shall develop a common form
19 or set of forms for communications facility in-
20 stallation siting applications that, except as pro-
21 vided in subparagraph (B), shall be used by all
22 executive agencies and applicants with respect
23 to the buildings and other property of each such
24 agency.

1 “(B) EXCEPTION.—The requirement under
2 subparagraph (A) for an executive agency to
3 use the common form or set of forms developed
4 by the Administrator of General Services shall
5 not apply to an executive agency if the head of
6 the executive agency notifies the Administrator
7 that the executive agency uses a substantially
8 similar application.

9 “(d) DEFINITIONS.—In this section:

10 “(1) COMMUNICATIONS FACILITY INSTALLA-
11 TION.—The term ‘communications facility installa-
12 tion’ includes—

13 “(A) any infrastructure, including any
14 transmitting device, tower, or support structure,
15 and any equipment, switches, wiring, cabling,
16 power sources, shelters, or cabinets, associated
17 with the licensed or permitted unlicensed wire-
18 less or wireline transmission of writings, signs,
19 signals, data, images, pictures, and sounds of
20 all kinds; and

21 “(B) any antenna or apparatus that—

22 “(i) is designed for the purpose of
23 emitting radio frequency;

24 “(ii) is designed to be operated, or is
25 operating, from a fixed location pursuant

1 to authorization by the Federal Commu-
2 niques Commission or is using duly au-
3 thorized devices that do not require indi-
4 vidual licenses; and

5 “(iii) is added to a tower, building, or
6 other structure.

7 “(2) EXECUTIVE AGENCY.—The term ‘executive
8 agency’ has the meaning given such term in section
9 102 of title 40, United States Code.”.

10 (b) SAVINGS PROVISION.—An application for an
11 easement, right-of-way, or lease that was made or granted
12 under section 6409 of the Middle Class Tax Relief and
13 Job Creation Act of 2012 (47 U.S.C. 1455) before the
14 date of enactment of this Act shall continue, subject to
15 that section as in effect on the day before such date of
16 enactment.

17 (c) STREAMLINING BROADBAND FACILITY APPLICA-
18 TIONS.—

19 (1) DEFINITION OF COMMUNICATIONS FACILITY
20 INSTALLATION.—In this subsection, the term “com-
21 munications facility installation” has the meaning
22 given the term in section 6409(d) of the Middle
23 Class Tax Relief and Job Creation Act of 2012 (47
24 U.S.C. 1455(d)), as amended by subsection (a).

25 (2) RECOMMENDATIONS.—

16 (i) procedures for the tracking of ap-
17 plications described in subparagraph (A);

(iii) policies to expedite renewals of an easement, license, or other authorization to locate communications facility installations

1 on land managed by the agencies described
2 in subparagraph (A); and

3 (iv) policies that would prioritize or
4 streamline a permit for construction in a
5 previously-disturbed right-of-way.

6 (C) REPORT TO CONGRESS.—Not later
7 than 2 years after the date on which the rec-
8 ommendations required under subparagraph
9 (A) are developed, the NTIA shall submit to the
10 Committee on Commerce, Science, and Trans-
11 portation of the Senate, the Committee on
12 Homeland Security and Governmental Affairs
13 of the Senate, the Committee on Energy and
14 Commerce of the House of Representatives, the
15 Committee on Transportation and Infrastruc-
16 ture of the House of Representatives, and the
17 Committee on Oversight and Government Re-
18 form of the House of Representatives a report
19 that describes—

20 (i) the status of the implementation of
21 the recommendations developed under sub-
22 paragraph (A); and

23 (ii) any improvements to the process
24 for considering applications described in
25 subparagraph (A) that have resulted from

1 those recommendations, including in par-
2 ticular the speed at which such applica-
3 tions are reviewed and a final determina-
4 tion is issued.

5 (d) ADDITIONAL SAVINGS PROVISIONS.—

6 (1) REAL PROPERTY AUTHORITIES.—Nothing
7 in this section, or the amendments made by this sec-
8 tion, shall be construed as providing any executive
9 agency with any new leasing or other real property
10 authorities not existing prior to the date of enact-
11 ment of this Act.

12 (2) EFFECT ON OTHER LAWS.—Nothing in this
13 section, or the amendments made by this section,
14 and no actions taken pursuant to this section, or the
15 amendments made by this section, shall impact a de-
16 cision or determination by any executive agency to
17 sell, dispose of, declare excess or surplus, lease,
18 reuse, or redevelop any Federal real property pursu-
19 ant to title 40, United States Code, the Federal As-
20 sets Sale and Transfer Act of 2016 (Public Law
21 114–287), or any other law governing real property
22 activities of the Federal Government. No agreement
23 entered into pursuant to this section, or the amend-
24 ments made by this section, may obligate the Fed-
25 eral Government to hold, control, or otherwise retain

1 or use real property that may otherwise be deemed
2 as excess, surplus, or that could be otherwise sold,
3 leased, or redeveloped.

4 **SEC. 607. BROADBAND INFRASTRUCTURE DEPLOYMENT.**

5 (a) **DEFINITIONS.**—In this section:

6 (1) **APPROPRIATE STATE AGENCY.**—The term
7 “appropriate State agency” means a State govern-
8 mental agency that is recognized by the executive
9 branch of the State as having the experience nec-
10 essary to evaluate and carry out projects relating to
11 the proper and effective installation and operation of
12 broadband infrastructure.

13 (2) **BROADBAND INFRASTRUCTURE.**—The term
14 “broadband infrastructure” means any buried, un-
15 derground, or aerial facility, and any wireless or
16 wireline connection, that enables users to send and
17 receive voice, video, data, graphics, or any combina-
18 tion thereof.

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

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

24 (B) provides broadband services in a man-
25 ner consistent with the public interest, conven-

1 ience, and necessity, as determined by the
2 State.

3 (4) STATE.—The term “State” means—

- 4 (A) a State;
5 (B) the District of Columbia; and
6 (C) the Commonwealth of Puerto Rico.

7 (b) BROADBAND INFRASTRUCTURE DEPLOYMENT.—

8 To facilitate the installation of broadband infrastructure,
9 the Secretary of Transportation shall promulgate regula-
10 tions to ensure that each State that receives funds under
11 chapter 1 of title 23, United States Code, meets the fol-
12 lowing requirements:

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

16 (A) identify a broadband utility coordi-
17 nator, that may have additional responsibilities,
18 whether in the State department of transpor-
19 tation or in another State agency, that is re-
20 sponsible for facilitating the broadband infra-
21 structure right-of-way efforts within the State;

22 (B) establish a process for the registration
23 of broadband infrastructure entities that seek
24 to be included in those broadband infrastruc-

1 ture right-of-way facilitation efforts within the
2 State;

3 (C) establish a process to electronically no-
4 tify broadband infrastructure entities identified
5 under subparagraph (B) of the State transpor-
6 tation improvement program on an annual basis
7 and provide additional notifications as nec-
8 essary to achieve the goals of this section; and

9 (D) coordinate initiatives carried out under
10 this section with other statewide telecommuni-
11 cation and broadband plans and State and local
12 transportation and land use plans, including
13 strategies to minimize repeated excavations that
14 involve the installation of broadband infrastruc-
15 ture in a right-of-way.

16 (2) PRIORITY.—If a State chooses to provide
17 for the installation of broadband infrastructure in
18 the right-of-way of an applicable Federal-aid high-
19 way project under this subsection, the State depart-
20 ment of transportation shall carry out any appro-
21 priate measures to ensure that any existing
22 broadband infrastructure entities are not disadvan-
23 taged, as compared to other broadband infrastruc-
24 ture entities, with respect to the program under this
25 subsection.

1 (c) EFFECT OF SECTION.—This section applies only
2 to activities for which Federal obligations or expenditures
3 are initially approved on or after the date regulations
4 under subsection (b) become effective. Nothing in this sec-
5 tion establishes a mandate or requirement that a State
6 install or allow the installation of broadband infrastruc-
7 ture in a highway right-of-way. Nothing in this section au-
8 thorizes the Secretary of Transportation to withhold or re-
9 serve funds or approval of a project under title 23, United
10 States Code.

11 **SEC. 608. COMMUNICATIONS FACILITIES INSTALLATION.**

12 (a) IN GENERAL.—Section 21 of the Federal Assets
13 Sale and Transfer Act of 2016 (40 U.S.C. 1303 note) is
14 amended—

15 (1) in subsection (b), by adding at the end the
16 following:

17 “(8) The ability of the Federal real property to
18 support a communications facility installation.”; and

19 (2) by adding at the end the following:

20 “(f) DEFINITION OF COMMUNICATIONS FACILITY IN-
21 STALLATION.—In this section, the term ‘communications
22 facility installation’ means—

23 “(1) any infrastructure, including any transmit-
24 ting device, tower, or support structure, and any
25 equipment, switches, wiring, cabling, power sources,

1 shelters, or cabinets associated with the licensed or
2 permitted unlicensed wireless or wireline trans-
3 mission of writings, signs, signals, data, images, pic-
4 tures, and sounds of any kind; and

5 “(2) any antenna or apparatus that—

6 “(A) is designed for the purpose of emit-
7 ting radio frequency;

8 “(B) is designed to be operated, or is oper-
9 ating, from a fixed location pursuant to autho-
10 rization by the Federal Communications Com-
11 mission or is using duly authorized devices that
12 do not require individual licenses; and

13 “(C) is added to a tower, building, or other
14 structure.”.

15 (b) PUBLIC COMMENT.—

16 (1) IN GENERAL.—Not later than 60 days after
17 the date of enactment of this Act, the Administrator
18 of General Services shall issue a notice for public
19 comment regarding the inclusion of a communica-
20 tions facility installation under section 21 of the
21 Federal Assets Sale and Transfer Act of 2016 (40
22 U.S.C. 1303 note), as amended by subsection (a) of
23 this section.

1 (2) CONTENTS.—In seeking public comment
2 under paragraph (1), the Administrator shall include
3 a request for recommendations on—

4 (A) the criteria that make Federal real
5 property capable of supporting communications
6 facility installations;

7 (B) the types of information related to the
8 Federal real property that should be included in
9 the database; and

10 (C) other matters that the Administrator
11 determines necessary.

12 (c) PROVISION OF INFORMATION.—

13 (1) IN GENERAL.—Not later than 90 days after
14 the period for public comment under subsection
15 (b)(1) ends, the Administrator of General Services
16 shall notify the head of each Executive agency of the
17 manner and format for submitting such information
18 as the Administrator determines appropriate to the
19 database established under section 21 of the Federal
20 Assets Sale and Transfer Act of 2016 (40 U.S.C.
21 1303 note), as amended by subsection (a) of this
22 section.

23 (2) SUBMISSION.—Not later than 90 days after
24 the date of the notification under paragraph (1), the

1 head of an Executive agency shall submit the information required under paragraph (1).

3 (d) STATE AND LOCAL GOVERNMENTS.—

4 (1) IN GENERAL.—The Administrator of General Services, in consultation with the Chairman of the Commission, the Assistant Secretary of Commerce for Communications and Information, the Under Secretary of Commerce for Standards and Technology, and the Director of OMB, shall study—

10 (A) how to incentivize State and local governments to provide the Administrator with information, similar to the information required under subsection (c)(1), for inclusion in the database described in that subsection; and

15 (B) the feasibility of establishing or operating a database to which State and local governments can voluntarily submit such information.

19 (2) REPORT ON INCENTIVIZING PARTICIPATION
20 BY STATE AND LOCAL GOVERNMENTS.—

21 (A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of General Services, in consultation with the Chairman of the Commission, the Assistant Secretary of Commerce for Communica-

1 tions and Information, the Under Secretary of
2 Commerce for Standards and Technology, and
3 the Director of OMB, shall submit to the Com-
4 mittee on Commerce, Science, and Transpor-
5 tation and the Committee on Homeland Secu-
6 rity and Governmental Affairs of the Senate,
7 and the Committee on Energy and Commerce,
8 the Committee on Transportation and Infra-
9 structure, and the Committee on Oversight and
10 Government Reform of the House of Represent-
11 atives a report on the findings of the study
12 under paragraph (1), including recommenda-
13 tions, if any, consistent with this section.

14 (B) CONSIDERATIONS.—The Administrator
15 of General Services, in preparing the report
16 under subparagraph (A), shall—

17 (i) consult with State and local gov-
18 ernments, or their representatives, to iden-
19 tify for inclusion in the report the most
20 cost-effective options for State and local
21 governments to collect and provide the in-
22 formation described in paragraph (1), in-
23 cluding utilizing and leveraging State
24 broadband initiatives and programs; and

6 (e) SAVINGS PROVISIONS.—

(C) any other law governing real property activities of the Federal Government.

3 SEC. 609. REALLOCATION INCENTIVES.

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

16 (b) POST-AUCTION PAYMENTS.—

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

1 cess to the eligible frequencies that are being
2 reallocated for exclusive non-Federal use or
3 shared use sooner than would otherwise occur
4 without such payments; and

5 (B) include the findings under subparagraph
6 (A), including the analysis under para-
7 graph (2) and any recommendations for legisla-
8 tion, in the report.

9 (2) ANALYSIS.—In considering payments under
10 paragraph (1)(A), the Assistant Secretary of Com-
11 merce for Communications and Information shall
12 conduct an analysis of whether and how such pay-
13 ments would affect—

14 (A) bidding in auctions conducted under
15 section 309(j) of the Communications Act of
16 1934 (47 U.S.C. 309(j)) of such eligible fre-
17 quencies; and

18 (B) receipts collected from the auctions de-
19 scribed in subparagraph (A).

20 (3) DEFINITIONS.—In this subsection:

21 (A) PAYMENT.—The term “payment”
22 means a payment in cash or in-kind by any
23 auction winner, or any person affiliated with an
24 auction winner, of eligible frequencies during
25 the period after eligible frequencies have been

1 reallocated by competitive bidding under section
2 309(j) of the Communications Act of 1934 (47
3 U.S.C. 309(j)) but prior to the completion of
4 relocation or sharing transition of such eligible
5 frequencies per transition plans approved by the
6 Technical Panel.

7 (B) ELIGIBLE FREQUENCIES.—The term
8 “eligible frequencies” has the meaning given
9 the term in section 113(g)(2) of the National
10 Telecommunications and Information Adminis-
11 tration Organization Act (47 U.S.C. 923(g)(2)).

12 **SEC. 610. BIDIRECTIONAL SHARING STUDY.**

13 (a) IN GENERAL.—Not later than 18 months after
14 the date of enactment of this Act, including an oppor-
15 tunity for public comment, the Commission, in collabora-
16 tion with the NTIA, shall—

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

23 (2) submit to Congress a report on the study
24 under paragraph (1), including any recommenda-
25 tions for legislation or proposed regulations.

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

3 (1) consider the regulatory certainty that com-
4 mercial spectrum users and Federal entities need to
5 make longer-term investment decisions for shared
6 access to be viable; and

7 (2) evaluate any barriers to voluntary commer-
8 cial arrangements in which non-Federal users could
9 provide access to Federal entities.

10 **SEC. 611. UNLICENSED SERVICES IN GUARD BANDS.**

11 (a) IN GENERAL.—After public notice and comment,
12 and in consultation with the Assistant Secretary of Com-
13 merce for Communications and Information and the head
14 of each affected Federal agency (or a designee thereof),
15 with respect to frequencies allocated for Federal use, the
16 Commission shall adopt rules that permit unlicensed serv-
17 ices where feasible to use any frequencies that are des-
18 ignated as guard bands to protect frequencies allocated
19 after the date of enactment of this Act by competitive bid-
20 ding under section 309(j) of the Communications Act of
21 1934 (47 U.S.C. 309(j)), including spectrum that acts as
22 a duplex gap between transmit and receive frequencies.

23 (b) LIMITATION.—The Commission may not permit
24 any use of a guard band under this section that would

1 cause harmful interference to a licensed service or a Fed-
2 eral service.

3 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
4 tion shall be construed as limiting the Commission or the
5 Assistant Secretary of Commerce for Communications and
6 Information from otherwise making spectrum available for
7 licensed or unlicensed use in any frequency band in addi-
8 tion to guard bands, including under section 603 of this
9 title, consistent with their statutory jurisdictions.

10 **SEC. 612. PRE-AUCTION FUNDING.**

11 Section 118(d)(3)(B)(i)(II) of the National Tele-
12 communications and Information Administration Organi-
13 zation Act (47 U.S.C. 928(d)(3)(B)(i)(II)) is amended by
14 striking “5 years” and inserting “8 years”.

15 **SEC. 613. IMMEDIATE TRANSFER OF FUNDS.**

16 Section 118(e)(1) of the National Telecommuni-
17 cations and Information Administration Organization Act
18 (47 U.S.C. 928(e)(1)) is amended by adding at the end
19 the following:

20 “(D) At the request of an eligible Federal
21 entity, the Director of the Office of Manage-
22 ment and Budget (in this subsection referred to
23 as ‘OMB’) may transfer the amount under sub-
24 paragraph (A) immediately—

1920

- 1 “(i) after the frequencies are reallo-
2 cated by competitive bidding under section
3 309(j) of the Communications Act of 1934
4 (47 U.S.C. 309(j)); or
5 “(ii) in the case of an incumbent Fed-
6 eral entity that is incurring relocation or
7 sharing costs to accommodate sharing
8 spectrum frequencies with another Federal
9 entity, after the frequencies from which the
10 other eligible Federal entity is relocating
11 are reallocated by competitive bidding
12 under section 309(j) of the Communica-
13 tions Act of 1934 (47 U.S.C. 309(j)), with-
14 out regard to the availability of such sums
15 in the Fund.
- 16 “(E) Prior to the deposit of proceeds into
17 the Fund from an auction, the Director of
18 OMB may borrow from the Treasury the
19 amount under subparagraph (A) for a transfer
20 under subparagraph (D). The Treasury shall
21 immediately be reimbursed, without interest,
22 from funds deposited into the Fund.”.

1 SEC. 614. AMENDMENTS TO THE SPECTRUM PIPELINE ACT**2 OF 2015.**

3 Section 1008 of the Spectrum Pipeline Act of 2015
4 (Public Law 114–74; 129 Stat. 584) is amended in the
5 matter preceding paragraph (1) by inserting “, after no-
6 tice and an opportunity for public comment,” after “the
7 Commission”.

**8 SEC. 615. GAO ASSESSMENT OF UNLICENSED SPECTRUM
9 AND WI-FI USE IN LOW-INCOME NEIGHBOR-
10 HOODS.****11 (a) STUDY.—**

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

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

20 (A) the availability of wireless Internet hot
21 spots and access to unlicensed spectrum in low-
22 income neighborhoods, particularly for elemen-
23 tary and secondary school-aged children in such
24 neighborhoods;

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

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

14 (b) REPORT.—Not later than 1 year after the date
15 of enactment of this Act, the Comptroller General shall
16 submit to the Committee on Commerce, Science, and
17 Transportation of the Senate and the Committee on En-
18 ergy and Commerce of the House of Representatives a re-
19 port that—

20 (1) summarizes the findings of the study con-
21 ducted under subsection (a); and

1 **SEC. 616. RULEMAKING RELATED TO PARTITIONING OR**
2 **DISAGGREGATING LICENSES.**

3 (a) **DEFINITIONS.**—In this section:

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

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

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

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

16 (A) a city, town, or incorporated area that
17 has a population of more than 20,000 inhab-
18 itants; or

19 (B) an urbanized area contiguous and ad-
20 jacent to a city or town that has a population
21 of more than 50,000 inhabitants.

22 (b) **RULEMAKING.**—

23 (1) **IN GENERAL.**—Not later than 1 year after
24 the date of enactment of this Act, the Commission
25 shall initiate a rulemaking proceeding to assess
26 whether to establish a program, or modify existing

1 programs, under which a licensee that receives a li-
2 cense for the exclusive use of spectrum in a specific
3 geographic area under section 301 of the Commu-
4 niques Act of 1934 (47 U.S.C. 301) may partition
5 or disaggregate the license by sale or long-term
6 lease—

7 (A) in order to—

8 (i) provide services consistent with the
9 license; and

10 (ii) make unused spectrum available
11 to—

12 (I) an unaffiliated covered small
13 carrier; or

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

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

18 (i) the availability of advanced tele-
19 communications services in rural areas; or

20 (ii) spectrum availability for covered
21 small carriers.

22 (2) CONSIDERATIONS.—In conducting the rule-
23 making proceeding under paragraph (1), the Com-
24 mission shall consider, with respect to the program
25 proposed to be established under that paragraph—

- 1 (A) whether reduced performance require-
2 ments with respect to spectrum obtained
3 through the program would facilitate deploy-
4 ment of advanced telecommunications services
5 in the areas covered by the program;
- 6 (B) what conditions may be needed on
7 transfers of spectrum under the program to
8 allow covered small carriers that obtain spec-
9 trum under the program to build out the spec-
10 trum in a reasonable period of time;
- 11 (C) what incentives may be appropriate to
12 encourage licensees to lease or sell spectrum, in-
13 cluding—
- 14 (i) extending the term of a license
15 granted under section 301 of the Commu-
16 nlications Act of 1934 (47 U.S.C. 301); or
17 (ii) modifying performance require-
18 ments of the license relating to the leased
19 or sold spectrum; and
- 20 (D) the administrative feasibility of—
- 21 (i) the incentives described in sub-
22 paragraph (C); and
- 23 (ii) other incentives considered by the
24 Commission that further the goals of this
25 section.

1 (3) FORFEITURE OF SPECTRUM.—If a party
2 fails to meet any build out requirements set by the
3 Commission for any spectrum sold or leased under
4 this section, the right to the spectrum shall be for-
5 feited to the Commission unless the Commission
6 finds that there is good cause for the failure of the
7 party.

8 (4) REQUIREMENT.—The Commission may
9 offer a licensee incentives or reduced performance
10 requirements under this section only if the Commis-
11 sion finds that doing so would likely result in in-
12 creased availability of advanced telecommunications
13 services in a rural area.

14 **SEC. 617. UNLICENSED SPECTRUM POLICY.**

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

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

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

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

1 (b) COMMISSION RESPONSIBILITIES.—The Commis-
2 sion shall ensure that the efforts of the Commission re-
3 lated to spectrum allocation and assignment made avail-
4 able on an unlicensed basis radio frequency bands to ad-
5 dress demand for unlicensed wireless broadband oper-
6 ations if doing so is, after taking into account the future
7 needs of homeland security, national security, and other
8 spectrum users—

9 (1) reasonable; and
10 (2) in the public interest.

11 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
12 tion confers any additional rights on unlicensed users or
13 users licensed by rule under part 96 of title 47, Code of
14 Federal Regulations, to protection from harmful inter-
15 ference.

16 SEC. 618. NATIONAL PLAN FOR UNLICENSED SPECTRUM.

17 (a) DEFINITIONS.—In this section:

18 (1) SPECTRUM RELOCATION FUND.—The term
19 “Spectrum Relocation Fund” means the Fund es-
20 tablished under section 118 of the National Tele-
21 communications and Information Administration Or-
22 ganization Act (47 U.S.C. 928).

23 (2) UNLICENSED OR LICENSED BY RULE OPER-
24 ATIONS.—The term “unlicensed or licensed by rule

1 operations” means the use of spectrum on a non-ex-
2 clusive basis under—

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

5 (B) licensing by rule under part 96 of title
6 47, Code of Federal Regulations.

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

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

14 (1) identify an approach that ensures that con-
15 sumers have access to additional spectrum to con-
16 duct unlicensed or licensed by rule operations in a
17 range of radio frequencies to meet consumer de-
18 mand;

19 (2) recommend specific actions by the Commis-
20 sion and the NTIA to permit unlicensed or licensed
21 by rule operations in additional radio frequency
22 ranges that the Commission finds—

23 (A) are consistent with the statement of
24 policy under section 617(a) of this title;

25 (B) will—

4 (ii) otherwise improve spectrum util-
5 zation and intensity of use of bands where
6 unlicensed or licensed by rule operations
7 are already permitted;

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

(A) to improve accuracy and efficacy;

20 (B) to reduce burdens on consumers, man-
21 ufacturers, and service providers; and

(C) to protect sensitive Government information.

24 (d) SPECTRUM RELOCATION FUND.—To be included
25 as an appendix as part of the plan developed under this

1 section, the NTIA, in consultation with the Director of
2 the Office of Management and Budget, shall share with
3 the Commission recommendations about how to reform
4 the Spectrum Relocation Fund—

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

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

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

13 (B) other expenditures allowed of the
14 Spectrum Relocation Fund under section 118 of
15 the National Telecommunications and Informa-
16 tion Administration Organization Act (47
17 U.S.C. 928).

18 (e) REPORT REQUIRED.—

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

1 (2) PUBLICATION ON COMMISSION WEBSITE.—

2 Not later than the date on which the Commission
3 submits the report under paragraph (1), the Com-
4 mission shall make the report publicly available on
5 the website of the Commission.

6 (f) RULE OF CONSTRUCTION.—Nothing in this sec-
7 tion confers any additional rights on unlicensed users or
8 users licensed by rule under part 96 of title 47, Code of
9 Federal Regulations, to protection from harmful inter-
10 ference.

11 **SEC. 619. SPECTRUM CHALLENGE PRIZE.**

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

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

18 (c) SPECTRUM CHALLENGE PRIZE.—

19 (1) IN GENERAL.—The Secretary, in consulta-
20 tion with the Assistant Secretary of Commerce for
21 Communications and Information and the Under
22 Secretary of Commerce for Standards and Tech-
23 nology, shall, subject to the availability of funds for
24 prize competitions under this section—

1 (A) conduct prize competitions to dramati-
2 cally accelerate the development and commer-
3 cialization of technology that improves spectrum
4 efficiency and is capable of cost-effective deploy-
5 ment; and

6 (B) define a measurable set of perform-
7 ance goals for participants in the prize competi-
8 tions to demonstrate their solutions on a level
9 playing field while making a significant ad-
10 vancement over the current state of the art.

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

13 (A) enter into a grant, contract, coopera-
14 tive agreement, or other agreement with a pri-
15 vate sector for-profit or nonprofit entity to ad-
16 minister the prize competitions;

17 (B) invite the Defense Advanced Research
18 Projects Agency, the Commission, the National
19 Aeronautics and Space Administration, the Na-
20 tional Science Foundation, or any other Federal
21 agency to provide advice and assistance in the
22 design or administration of the prize competi-
23 tions; and

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

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

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

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

17 (b) DEFINITIONS.—In this section:

18 (1) FINANCIAL TRANSACTION.—The term “fi-
19 nancial transaction” means a transaction in which
20 the purchaser or user of a wireless telecommuni-
21 cations service upon whom a tax, fee, or surcharge
22 is imposed gives cash, credit, or any other exchange
23 of monetary value or consideration to the person
24 who is required to collect or remit the tax, fee, or
25 surcharge.

1 (2) LOCAL JURISDICTION.—The term “local ju-
2 risdiction” means a political subdivision of a State.

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

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

11 (5) WIRELESS TELECOMMUNICATIONS SERV-
12 ICE.—The term “wireless telecommunications serv-
13 ice” means a commercial mobile radio service, as de-
14 fined in section 20.3 of title 47, Code of Federal
15 Regulations, or any successor thereto.

16 (c) FINANCIAL TRANSACTION REQUIREMENT.—

17 (1) IN GENERAL.—A State, or a local jurisdic-
18 tion of a State, may not require a person who is nei-
19 ther a resident of such State or local jurisdiction nor
20 an entity having its principal place of business in
21 such State or local jurisdiction to collect from, or
22 remit on behalf of, any other person a State or local
23 tax, fee, or surcharge imposed on a purchaser or
24 user with respect to the purchase or use of any wire-
25 less telecommunications service within the State un-

1 less the collection or remittance is in connection with
2 a financial transaction.

3 (2) RULE OF CONSTRUCTION.—Nothing in this
4 subsection shall be construed to affect the right of
5 a State or local jurisdiction to require the collection
6 of any tax, fee, or surcharge in connection with a fi-
7 nancial transaction.

8 (d) ENFORCEMENT.—

9 (1) PRIVATE RIGHT OF ACTION.—Any person
10 aggrieved by a violation of subsection (c) may bring
11 a civil action in an appropriate district court of the
12 United States for equitable relief in accordance with
13 paragraph (2) of this subsection.

14 (2) JURISDICTION OF DISTRICT COURTS.—Not-
15 withstanding section 1341 of title 28, United States
16 Code, or the constitution or laws of any State, the
17 district courts of the United States shall have juris-
18 diction, without regard to the amount in controversy
19 or citizenship of the parties, to grant such manda-
20 tory or prohibitive injunctive relief, interim equitable
21 relief, and declaratory judgments as may be nec-
22 essary to prevent, restrain, or terminate any acts in
23 violation of subsection (c).

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1 SEC. 621. 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.

5 (b) ASSESSMENT OF ELECTROMAGNETIC SPECTRUM
6 REALLOCATION.—Nothing in this title shall be construed
7 to affect any requirement under section 156 of the Na-
8 tional Telecommunications and Information Administra-
9 tion Organization Act (47 U.S.C. 921 note), as added by
10 section 1062(a) of the National Defense Authorization Act
11 for Fiscal Year 2000.

12 SEC. 622. RELATIONSHIP TO MIDDLE CLASS TAX RELIEF

13 AND JOB CREATION ACT OF 2012.

Nothing in this title shall be construed to limit, re-
strict, 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.).

21 SEC. 623. NO ADDITIONAL FUNDS AUTHORIZED.

22 No additional funds are authorized to be appro-
23 priated to carry out this title, or the amendments made
24 by this title. This title, and the amendments made by this
25 title, shall be carried out using amounts otherwise author-
26 ized.

1 **DIVISION Q—KEVIN AND**
2 **AVONTE'S LAW**

3 **SECTION 1. SHORT TITLE.**

4 This division may be cited as the “Kevin and
5 Avonte’s Law of 2018”.

6 **TITLE I—MISSING ALZHEIMER’S**
7 **DISEASE PATIENT ALERT**
8 **PROGRAM REAUTHORIZA-**
9 **TION**

10 **SEC. 101. SHORT TITLE.**

11 This title may be cited as the “Missing Americans
12 Alert Program Act of 2018”.

13 **SEC. 102. REAUTHORIZATION OF THE MISSING ALZ-**
14 **HEIMER’S DISEASE PATIENT ALERT PRO-**
15 **GRAM.**

16 (a) AMENDMENTS.—Section 240001 of the Violent
17 Crime Control and Law Enforcement Act of 1994 (34
18 U.S.C. 12621) is amended—

19 (1) in the section header, by striking “**ALZ-**
20 **HEIMER’S DISEASE PATIENT”** and inserting
21 **“AMERICANS”**;

22 (2) by striking subsection (a) and inserting the
23 following:

24 “(a) GRANT PROGRAM TO REDUCE INJURY AND
25 DEATH OF MISSING AMERICANS WITH DEMENTIA AND