

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens.

**IN THE SENATE OF THE UNITED STATES—113th Cong., 2d Sess.**

**S.** \_\_\_\_\_

To extend the authority of satellite carriers to retransmit certain television broadcast station signals, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. HELLER

Viz:

1 At the end, add the following:

2 **TITLE IV—CONSOLIDATED**  
3 **REPORTING**

4 **SECTION 401. SHORT TITLE.**

5 This title may be cited as the “Federal Communica-  
6 tions Commission Consolidated Reporting Act of 2014”.

7 **SEC. 402. COMMUNICATIONS MARKETPLACE REPORT.**

8 Title I (47 U.S.C. 151 et seq.) is amended by adding  
9 at the end the following:

1 **“SEC. 13. COMMUNICATIONS MARKETPLACE REPORT.**

2 “(a) DEFINITIONS.—In this section—

3 “(1) the term ‘advanced telecommunications ca-  
4 pability’ has the meaning given that term in section  
5 706 of the Telecommunications Act of 1996 (47  
6 U.S.C. 1302);

7 “(2) the term ‘commercial mobile service’ has  
8 the meaning given that term in section 332;

9 “(3) the terms ‘Indian tribe’ and ‘tribal organi-  
10 zation’ have the meanings given those terms in sec-  
11 tion 4 of the Indian Self-Determination and Edu-  
12 cation Assistance Act (25 U.S.C. 450b); and

13 “(4) the term ‘multichannel video programming  
14 distributor’ has the meaning given that term in sec-  
15 tion 602.

16 “(b) REPORT.—In the last quarter of every even-  
17 numbered year, the Commission shall publish on the  
18 website of the Commission and submit to the Committee  
19 on Energy and Commerce of the House of Representatives  
20 and the Committee on Commerce, Science, and Transpor-  
21 tation of the Senate a report on the state of the commu-  
22 nications marketplace.

23 “(c) CONTENTS.—Each report required under sub-  
24 section (b) shall—

25 “(1) assess the state of competition in the com-  
26 munications marketplace, including competition to

1 deliver voice, video, audio, and data services among  
2 providers of telecommunications, providers of a com-  
3 mercial mobile service, multichannel video program-  
4 ming distributors, broadcast stations, providers of  
5 satellite communications, Internet service providers,  
6 and other providers of communications services;

7 “(2) assess the state of deployment of commu-  
8 nications capabilities, including advanced tele-  
9 communications capability, regardless of the tech-  
10 nology used for such deployment, including whether  
11 advanced telecommunications capability is being de-  
12 ployed to all people in the United States in a reason-  
13 able and timely fashion;

14 “(3) assess whether laws, regulations, or regu-  
15 latory practices (whether those of the Federal Gov-  
16 ernment, States, political subdivisions of States, In-  
17 dian tribes or tribal organizations, or foreign govern-  
18 ments) pose a barrier to competitive entry into the  
19 communications marketplace or to the competitive  
20 expansion of existing providers of communications  
21 services;

22 “(4) describe the agenda of the Commission for  
23 the 2-year period following the year during which  
24 the report is submitted for addressing the challenges  
25 and opportunities in the communications market-

1 place that were identified through the assessments  
2 under paragraphs (1) through (3); and

3 “(5) describe the actions that the Commission  
4 has taken in pursuit of the agenda described under  
5 paragraph (4) in the previous report submitted  
6 under this section.

7 “(d) EXTENSION.—If the Senate confirms the Chair-  
8 man of the Commission during the third or fourth quarter  
9 of an even-numbered year, a report required under sub-  
10 section (b) may be published on the website of the Com-  
11 mission and submitted to the Committee on Energy and  
12 Commerce of the House of Representatives and the Com-  
13 mittee on Commerce, Science, and Transportation of the  
14 Senate not later than March 1 of the following odd-num-  
15 bered year.

16 “(e) SPECIAL REQUIREMENTS.—

17 “(1) ASSESSING COMPETITION.—In assessing  
18 the state of competition under subsection (c)(1), the  
19 Commission shall consider all forms of competition,  
20 including the effect of intermodal competition, facili-  
21 ties-based competition, and competition from new  
22 and emergent communications services, including the  
23 provision of content and communications using the  
24 Internet.

1           “(2) ASSESSING DEPLOYMENT.—In assessing  
2           the state of deployment under subsection (c)(2), the  
3           Commission shall compile a list of geographical  
4           areas that are not served by any provider of ad-  
5           vanced telecommunications capability.

6           “(3) INTERNATIONAL COMPARISONS AND DEMO-  
7           GRAPHIC INFORMATION.—The Commission may use  
8           readily available data to draw appropriate compari-  
9           sons between the United States communications  
10          marketplace and the international communications  
11          marketplace and to correlate those comparisons with  
12          demographic information.

13          “(4) CONSIDERING SMALL BUSINESSES.—In as-  
14          sessing the state of competition under subsection  
15          (c)(1) and regulatory barriers under subsection  
16          (c)(3), the Commission shall consider market entry  
17          barriers for entrepreneurs and other small busi-  
18          nesses in the communications marketplace in accord-  
19          ance with the national policy under section 257(b).”.

20 **SEC. 403. CONSOLIDATION OF REDUNDANT REPORTS; CON-**  
21 **FORMING AMENDMENTS.**

22          (a) ORBIT ACT REPORT.—Section 646 of the Com-  
23          munications Satellite Act of 1962 (47 U.S.C. 765e) is re-  
24          pealed.

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

3           (c) INTERNATIONAL BROADBAND DATA REPORT.—  
4 Section 103 of the Broadband Data Improvement Act (47  
5 U.S.C. 1303) is amended—

6                 (1) by striking subsection (b); and

7                 (2) by redesignating subsections (e) through (e)  
8 as subsections (b) through (d), respectively.

9           (d) STATUS OF COMPETITION IN THE MARKET FOR  
10 THE DELIVERY OF VIDEO PROGRAMMING REPORT.—Sec-  
11 tion 628 (47 U.S.C. 548) is amended—

12                 (1) by striking subsection (g);

13                 (2) by redesignating subsection (j) as sub-  
14 section (g); and

15                 (3) by transferring subsection (g), as so redес-  
16 igned, so that it appears after subsection (f).

17           (e) REPORT ON CABLE INDUSTRY PRICES.—

18                 (1) IN GENERAL.—Section 623 (47 U.S.C.  
19 543), as amended by sections 203 and 205, is  
20 amended—

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

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

1           (2) CONFORMING AMENDMENT.—Section  
2           613(a)(3) (47 U.S.C. 533(a)(3)) is amended by  
3           striking “623(l)” and inserting “623(k)”.

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

9           (g) SECTION 706 REPORT.—Section 706 of the Tele-  
10          communications Act of 1996 (47 U.S.C. 1302) is amend-  
11          ed—

12                 (1) in subsection (b)—

13                         (A) in the last sentence, by striking “If the  
14                         Commission’s determination is negative, it” and  
15                         inserting “If the Commission determines in its  
16                         report under section 13 of the Communications  
17                         Act of 1934 that advanced telecommunications  
18                         capability is not being deployed to all people of  
19                         the United States in a reasonable and timely  
20                         fashion, the Commission”; and

21                         (B) by striking the first and second sen-  
22                         tences;

23                 (2) by striking subsection (c);

24                 (3) in subsection (d), by striking “this sub-  
25                 section” and inserting “this section”; and

1           (4) by redesignating subsection (d) as sub-  
2           section (c).

3           (h) STATE OF COMPETITIVE MARKET CONDITIONS  
4 WITH RESPECT TO COMMERCIAL MOBILE RADIO SERV-  
5 ICES.—Section 332(c)(1)(C) (47 U.S.C. 332(c)(1)(C)) is  
6 amended by striking the first and second sentences.

7           (i) PREVIOUSLY ELIMINATED ANNUAL REPORT.—

8           (1) IN GENERAL.—Section 4 (47 U.S.C. 154) is  
9 amended—

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

11                   (B) by redesignating subsections (l)  
12 through (o) as subsections (k) through (n), re-  
13 spectively.

14           (2) CONFORMING AMENDMENTS.—The Commu-  
15 nications Act of 1934 (47 U.S.C. 151 et seq.) is  
16 amended—

17                   (A) in section 9(i), by striking “In the  
18 Commission’s annual report, the Commission  
19 shall prepare an analysis of its progress in de-  
20 veloping such systems and” and inserting “The  
21 Commission”; and

22                   (B) in section 309(j)(8)(B), by striking the  
23 last sentence.



1 (j) ADDITIONAL OUTDATED REPORTS.—The Com-  
2 munications Act of 1934 (47 U.S.C. 151 et seq.) is  
3 amended—

4 (1) in section 4—

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

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

11 (2) in section 215—

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

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

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

16 (4) in section 309(j)—

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

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

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

22 (6) in section 336(e), by amending paragraph  
23 (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. 404. 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 Federal Communications Commission.

9 **SEC. 405. 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 Federal Communications Commission from producing  
13 any additional reports otherwise within the authority of  
14 the Federal Communications Commission.

15 **SEC. 406. EFFECTIVE DATE.**

16                  This title and the amendments made by this title  
17 shall take effect on January 1, 2015.