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SEPTEMBER 30, 2016

SPECIAL BULLETIN

Legislative Activity

Communications Act Update

This week the United States House of Representatives unanimously passed [S 253](#), which it terms the “Communications Act Update of 2016.” This effort began in 2013 with the release of several white papers, and now, apparently, concludes with S 253, which consists of a group of communications-related bills recently passed by the full House or unanimously approved by the Energy and Commerce Committee. However, the compiled bills relate more to FCC oversight than to any substantive change in the Communications Act.

HR 2583—The Federal Communications Commission Process Reform Act. This bill would require the FCC to revise procedures in such areas as rulemaking proceedings and transparency (e.g., sunshine and meeting rules). It would also provide a temporary waiver of the Antideficiency Act for the USF until 2020.

HR 734—Federal Communications Commission Consolidated Reporting Act. This bill attempts to consolidate several reports currently generated by the FCC, such as the various competition reports and the broadband deployment report. In addition, the “Special Requirements” section of HR 734 informs the Commission of several items that must be included in the future consolidated reports.

HR 4596—Small Business Broadband Deployment Act. HR 4596 simply expands and extends the small business exemption related to the FCC’s enhanced disclosures adopted in the most recent Open Internet order. It expands the exemption to any ISP with less than 250,000 or fewer subscribers (currently is 100,000) and extends the exemption for five years (the FCC’s current exemption expires on 12/15/16).

HR 4167—Kari’s Law Act. This piece of S 253 would require direct access to 911 from all telephone systems.

HR 3998—Securing Access to Networks in Disasters Act. This bill would require the FCC to study and report on the feasibility of requiring telecommunications and other carriers to provide 911 service via WiFi in times of emergency, and when mobile networks are not operational.



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Questions? Comments?

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HR 2669—Anti-Spoofing Act. HR 2669 would add “persons outside the United States” to the list of people not allowed to provide inaccurate caller ID information. This bill also adds text messages using a text messaging service to the list of communications covered under anti-spoofing rules.

HR 1301—Amateur Radio Parity Act. This bill would basically require homeowners associations to better accommodate HAM radio antennas.

HR 2566—Improving Rural Call Quality and Reliability. This section would require the FCC to take further steps to help alleviate rural call completion problems (see September 23, 2016 *Alexicon Insider* for more information).

Broadband Connections for Rural Opportunities Program Act

The Broadband Connections for Rural Opportunities Program Act was introduced by Senators Shelley Moore Capito (R-WV) and Kirsten Gillibrand (D-NY) to help “close the broadband gap in rural areas to ensure that all Americans have access to high speed infrastructure...” The Act (specific language was yet not available) proposes to accomplish this goal by implementing a grant program, with grants covering up to 50% of a project’s cost (with up to 75% covered in remote, high need areas). These grants would be provided in addition to loans already available via the RUS, and would increase the total amount available under the RUS’ broadband programs to \$50m per year. Funding would be made available to private sector providers, state and local governments, and Indian tribes/tribal organizations.

Despite its lofty title, the Communications Act Update Act of 2016 barely scratches the surface of issues addressed in the past few years in front of the E&C Committee. The efficacy of the Broadband Connections for Rural Opportunities Program Act will depend on the details and, of course, implementation by RUS and others. However, considering the state of the Congress at this time, and the fact that elections are fast approaching, it is unknown how much farther these bills can go.

Please let us know if you have any questions.



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