

**AMENDMENT TO
RULES COMMITTEE PRINT 117-31
OFFERED BY MR. CURTIS OF UTAH**

Page 679, after line 25, insert the following:

1 **SEC. 20110. LOCATING FEDERAL FACILITIES IN UNSERVED**

2 **AREAS.**

3 (a) DEFINITIONS.—In this section:

4 (1) APPROPRIATE COMMITTEES OF CON-
5 GRESS.—The term “appropriate committees of Con-
6 gress” means—

7 (A) the Committee on Energy and Com-
8 merce of the House of Representatives;

9 (B) the Committee on Natural Resources
10 of the House of Representatives;

11 (C) the Committee on Commerce, Science,
12 and Transportation of the Senate; and

13 (D) the Committee on Environment and
14 Public Works of the Senate.

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

17 (3) COMMUNICATIONS FACILITY.—The term
18 “communications facility” includes—

1 (A) any infrastructure, including any
2 transmitting device, tower, or support structure,
3 and any equipment, switches, wiring, cabling,
4 power sources, shelters, or cabinets, associated
5 with the licensed or permitted unlicensed wire-
6 less or wireline transmission of writings, signs,
7 signals, data, images, pictures, and sounds of
8 all kinds; and

9 (B) any antenna or apparatus that—

10 (i) is designed for the purpose of
11 emitting radio frequency;

12 (ii) is designed to be operated, or is
13 operating, from a fixed location pursuant
14 to authorization by the Commission or is
15 using duly authorized devices that do not
16 require individual licenses; and

17 (iii) is added to a tower, building, or
18 other structure.

19 (4) COVERED LAND.—The term “covered land”
20 means—

21 (A) public land administered by the Sec-
22 retary of the Interior; and

23 (B) National Forest System land.

1 (5) DEPARTMENT CONCERNED.—The term
2 “Department concerned” means the Department of
3 the Interior or the Department of Agriculture.

4 (6) SECRETARY CONCERNED.—The term “Sec-
5 retary concerned” means—

6 (A) the Secretary of the Interior, with re-
7 spect to public land;

8 (B) the Secretary of Agriculture, with re-
9 spect to National Forest System land; and

10 (C) the Secretary of Commerce.

11 (b) SHARING BROADBAND AVAILABILITY DATA.—

12 (1) NOTIFICATION.—Not later than 2 business
13 days after creating the maps required under section
14 802(c)(1) of the Communications Act of 1934 (47
15 U.S.C. 642(c)(1)), the Commission shall notify the
16 Secretary concerned that such maps have been cre-
17 ated.

18 (2) PROVISION OF INFORMATION.—Not later
19 than 5 business days after the notification described
20 in paragraph (1), the Commission shall provide the
21 Secretary concerned any information the Commis-
22 sion has collected pursuant to title VIII of the Com-
23 munications Act of 1934 (47 U.S.C. 641 et seq.).

24 (3) CONTINUATION.—The Commission shall
25 provide the Secretary concerned the information de-

1 scribed in paragraph (2) every 6 months unless the
2 Commission no longer has such information.

3 (4) PROTECTION OF INFORMATION.—

4 (A) IN GENERAL.—The Commission shall
5 specify to the Secretary concerned which infor-
6 mation provided under paragraph (2) was col-
7 lected in a confidential or proprietary manner,
8 and the Secretary concerned may not make
9 such information publicly available.

10 (B) FOIA.—Information provided under
11 paragraph (2) shall not be disclosed to the pub-
12 lic pursuant to section 552(b)(3)(B) of title 5,
13 United States Code.

14 (c) WORKING GROUP.—

15 (1) ESTABLISHMENT.—Not later than 30 days
16 after the date of enactment of this section, the Com-
17 mission and the Secretary concerned shall establish
18 an interagency working group to facilitate the prepa-
19 ration and interoperability of information technology
20 systems for the provision and receipt of the informa-
21 tion described in subsection (b)(2).

22 (2) NONAPPLICABILITY OF FACA.—The Federal
23 Advisory Committee Act (5 U.S.C. App.) shall not
24 apply to the interagency working group established
25 under paragraph (1).

1 (3) DETAIL OF GOVERNMENT EMPLOYEES.—

2 Any employee of the Federal Government may be
3 detailed to the interagency working group estab-
4 lished under paragraph (1) without reimbursement,
5 and that detail shall be without interruption or loss
6 of civil service status or privilege.

7 (d) REPORTS.—

8 (1) PRELIMINARY ASSESSMENT OF POTENTIAL
9 BARRIERS.—Not later 120 days after the date on
10 which the interagency working group is established
11 pursuant to subsection (c)(1), the Commission and
12 the Secretary concerned shall jointly submit a report
13 to the appropriate committees of Congress with a
14 preliminary assessment of any potential barriers to
15 sharing the information described under subsection
16 (b)(2).

17 (2) ASSESSMENTS.—Not later than 1 year after
18 the date on which the Commission provides the in-
19 formation described under subsection (b)(2) to the
20 Department concerned, the Commission and the Sec-
21 retary concerned shall jointly submit a report to the
22 appropriate committees of Congress with—

23 (A) an assessment of the effectiveness of a
24 user's ability to locate broadband infrastructure
25 on covered land in an area to be determined as

1 unserved by the Commission on the basis of the
2 maps created under section 802(c) of the Com-
3 munications Act of 1934 (47 U.S.C. 642(c));
4 and
5 (B) an assessment of whether the Depart-
6 ment concerned prioritized the review of appli-
7 cations for a communications use authorization
8 in an area to be determined as unserved by the
9 Commission on the basis of the maps created
10 under section 802(c) of the Communications
11 Act of 1934.

