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

Page 679, after line 25, insert the following:

SEC. 20110. LOCATING FEDERAL FACILITIES IN UNSERVED AREAS.

(a) DEFINITIONS.—In this section:

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

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

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

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

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

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

(3) COMMUNICATIONS FACILITY.—The term “communications facility” includes—
(A) any infrastructure, including any transmitting device, tower, or support structure, and any equipment, switches, wiring, cabling, power sources, shelters, or cabinets, associated with the licensed or permitted unlicensed wireless or wireline transmission of writings, signs, signals, data, images, pictures, and sounds of all kinds; and

(B) any antenna or apparatus that—

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

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

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

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

(A) public land administered by the Secretary of the Interior; and

(B) National Forest System land.
(5) Department concerned.—The term “Department concerned” means the Department of the Interior or the Department of Agriculture.

(6) Secretary concerned.—The term “Secretary concerned” means—
   
   (A) the Secretary of the Interior, with respect to public land;
   
   (B) the Secretary of Agriculture, with respect to National Forest System land; and
   
   (C) the Secretary of Commerce.

(b) Sharing Broadband Availability Data.—

   (1) Notification.—Not later than 2 business days after creating the maps required under section 802(e)(1) of the Communications Act of 1934 (47 U.S.C. 642(e)(1)), the Commission shall notify the Secretary concerned that such maps have been created.

   (2) Provision of information.—Not later than 5 business days after the notification described in paragraph (1), the Commission shall provide the Secretary concerned any information the Commission has collected pursuant to title VIII of the Communications Act of 1934 (47 U.S.C. 641 et seq.).

   (3) Continuation.—The Commission shall provide the Secretary concerned the information de-
scribed in paragraph (2) every 6 months unless the
Commission no longer has such information.

(4) PROTECTION OF INFORMATION.—

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

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

(e) WORKING GROUP.—

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

(2) NONAPPLICABILITY OF FACA.—The Federal
Advisory Committee Act (5 U.S.C. App.) shall not
apply to the interagency working group established
under paragraph (1).
(3) Detail of Government Employees.—

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

(d) Reports.—

(1) Preliminary Assessment of Potential
Barriers.—Not later 120 days after the date on
which the interagency working group is established
pursuant to subsection (c)(1), the Commission and
the Secretary concerned shall jointly submit a report
to the appropriate committees of Congress with a
preliminary assessment of any potential barriers to
sharing the information described under subsection
(b)(2).

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

(A) an assessment of the effectiveness of a
user’s ability to locate broadband infrastructure
on covered land in an area to be determined as
unserved by the Commission on the basis of the maps created under section 802(c) of the Communications Act of 1934 (47 U.S.C. 642(c)); and

(B) an assessment of whether the Department concerned prioritized the review of applications for a communications use authorization in an area to be determined as unserved by the Commission on the basis of the maps created under section 802(c) of the Communications Act of 1934.