

amended Pub. L. 117–58, div. F, title I, §§ 60102(h)(2)(E)(i), 60103(d)(1), (e), Nov. 15, 2021, 135 Stat. 1198, 1205.)

Editorial Notes

AMENDMENTS

2021—Subsec. (b)(1)(D). Pub. L. 117–58, § 60103(d)(1), added subpar. (D).

Subsec. (b)(5)(C)(i). Pub. L. 117–58, § 60102(h)(2)(E)(i), substituted “challenges, which shall require that the Commission resolve a challenge not later than 90 days after the date on which a final response by a provider to a challenge to the accuracy of a map or information described in subparagraph (A) is complete” for “challenges”.

Subsec. (c)(6). Pub. L. 117–58, § 60103(e), inserted “, including on a publicly available website,” after “make public” in introductory provisions. Directory language amending “the matter preceding paragraph (6)” was executed as if it had referred to the matter preceding subpar. (A), to reflect the probable intent of Congress.

Statutory Notes and Related Subsidiaries

IMPLEMENTATION

For requirement to implement amendment made by section 60102(h)(2)(E)(i) of Pub. L. 117–58 as soon as possible after Nov. 15, 2021, see section 1702(h)(2)(E)(iii) of this title.

§ 643. Enforcement

It shall be unlawful for an entity or individual to willfully and knowingly, or recklessly, submit information or data under this subchapter that is materially inaccurate or incomplete with respect to the availability of broadband internet access service or the quality of service with respect to broadband internet access service.

(June 19, 1934, ch. 652, title VIII, § 803, as added Pub. L. 116–130, § 2, Mar. 23, 2020, 134 Stat. 236.)

§ 644. Improving data accuracy

(a) Audits

The Commission shall conduct regular audits of information submitted to the Commission by providers under section 642(b)(2) of this title to ensure that the providers are complying with this subchapter.

(b) Crowdsourcing

(1) In general

The Commission shall develop a process through which entities or individuals in the United States may submit specific information about the deployment and availability of broadband internet access service in the United States on an ongoing basis so that the information may be used to verify and supplement information provided by providers of broadband internet access service for inclusion in the maps created under section 642(c)(1) of this title.

(2) Collaboration

As part of the efforts of the Commission to facilitate the ability of entities and individuals to submit information under paragraph (1), the Commission shall—

(A) prioritize the consideration of data provided by data collection applications

used by consumers that the Commission has determined—

(i) are highly reliable; and

(ii) have proven methodologies for determining network coverage and network performance; and

(B) coordinate with the Postmaster General, the heads of other Federal agencies that operate delivery fleet vehicles, and the Director of the Bureau of the Census for assistance with data collection whenever coordination could feasibly yield more specific geographic data.

(c) Technical assistance to Indian Tribes

(1) In general

Subject to paragraph (2), the Commission shall hold workshops for Tribal Governments in each of the 12 Bureau of Indian Affairs regions to provide technical assistance with the collection and submission of data under section 642(a)(2) of this title.

(2) Annual review

Each year, the Commission, in consultation with Indian Tribes, shall review the need for continued workshops required under paragraph (1).

(d) Technical assistance to small service providers

The Commission shall establish a process through which a provider that has fewer than 100,000 active broadband internet access service connections may request and receive assistance from the Commission with respect to geographic information system data processing to ensure that the provider is able to comply with the requirements under section 642(b) of this title in a timely and accurate manner.

(e) Technical assistance to State, local, and Tribal governments and consumers

The Commission shall provide technical assistance to consumers and State, local, and Tribal governmental entities with respect to the challenge process established under section 642(b)(5) of this title, which shall include—

(1) detailed tutorials and webinars; and

(2) the provision of staff of the Commission to provide assistance, as needed, throughout the entirety of the challenge process.

(f) GAO Assessment of Fabric source data

(1) In general

The Comptroller General of the United States shall conduct an assessment of key data sources that are used for purposes of the Fabric to identify and geocode locations where fixed broadband internet access service can be installed in order for the Comptroller General to develop recommendations for how the quality and completeness of those data sources can be improved as data sources for the Fabric.

(2) Sources included

For the purposes of the assessment conducted under paragraph (1), the key data sources described in that paragraph shall include—

(A) any relevant sources of Federal data, including the National Address Database ad-

ministered by the Department of Transportation;

(B) State- and county-level digitized parcel data; and

(C) property tax attribute recording.

(3) Report

Not later than 1 year after March 23, 2020, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that contains the recommendations developed under paragraph (1).

(June 19, 1934, ch. 652, title VIII, §804, as added Pub. L. 116-130, §2, Mar. 23, 2020, 134 Stat. 237; amended Pub. L. 117-58, div. F, title V, §60503, Nov. 15, 2021, 135 Stat. 1244.)

Editorial Notes

AMENDMENTS

2021—Subsec. (b)(2)(B), (C). Pub. L. 117-58 added subpar. (B) and struck out former subpars. (B) and (C) which read as follows:

“(B) not later than 1 year after March 23, 2020, conclude a process that tests the feasibility of partnering with Federal agencies that operate delivery fleet vehicles, including the United States Postal Service, to facilitate the collection and submission of information described in that paragraph; and

“(C) not later than 14 months after March 23, 2020, publish on the website of the Commission, and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives, a report regarding the testing described in subparagraph (B), which shall include—

“(i) a determination regarding whether the partnerships with Federal agencies described in that subparagraph are able to facilitate the collection and submission of information described in paragraph (1); and

“(ii) any steps that the Commission plans to take to facilitate the partnerships described in that subparagraph.”

§ 645. Cost

(a) USF

The Commission may not use funds from the universal service programs of the Commission established under section 254 of this title, and the regulations issued under that section, to pay for any costs associated with this subchapter.

(b) Other funds

The Commission may recover costs associated with this subchapter under section 159 of this title to the extent provided for in an appropriation Act, as required under subsection (a) of that section.

(June 19, 1934, ch. 652, title VIII, §805, as added Pub. L. 116-130, §2, Mar. 23, 2020, 134 Stat. 238.)

§ 646. Other provisions

(a) OMB

Notwithstanding any other provision of law, the initial rule making required under section 642(a)(1) of this title shall be exempt from review by the Office of Management and Budget.

(b) PRA

Subchapter I of chapter 35 of title 44 (commonly known as the “Paperwork Reduction

Act”) shall not apply to any rule making or other action by the Commission required under this subchapter.

(c) Execution of responsibilities

Except, with respect to an entity that is not the Universal Service Administrative Company, as provided in section 642(a)(2)(B) of this title, section 642(b)(1)(A)(ii) of this title, and subsections (c), (d), and (e) of section 644 of this title, the Commission—

(1) including the offices of the Commission, shall carry out the responsibilities assigned to the Commission under this subchapter; and

(2) may not delegate any of the responsibilities assigned to the Commission under this subchapter to any third party, including the Universal Service Administrative Company.

(d) Reporting

Each fiscal year, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that summarizes the implementation of this subchapter and associated enforcement activities conducted during the previous fiscal year.

(e) Rule of construction

If the Commission, before March 23, 2020, has taken an action that, in whole or in part, implements this subchapter, the Commission shall not be required to revisit such action to the extent that such action is consistent with this subchapter.

(June 19, 1934, ch. 652, title VIII, §806, as added Pub. L. 116-130, §2, Mar. 23, 2020, 134 Stat. 238; amended Pub. L. 117-58, div. F, title I, §60102(h)(2)(E)(ii), Nov. 15, 2021, 135 Stat. 1198.)

Editorial Notes

AMENDMENTS

2021—Subsec. (b). Pub. L. 117-58 substituted “any rule making or other action by the Commission required under this subchapter” for “the initial rule making required under section 642(a)(1) of this title”.

Statutory Notes and Related Subsidiaries

IMPLEMENTATION

For requirement to implement amendment made by section 60102(h)(2)(E)(ii) of Pub. L. 117-58 as soon as possible after Nov. 15, 2021, see section 1702(h)(2)(E)(iii) of this title.

CHAPTER 6—COMMUNICATIONS SATELLITE SYSTEM

SUBCHAPTER I—GENERAL PROVISIONS

- Sec. 701. Omitted.
- 702. Definitions.
- 703. Repealed.

SUBCHAPTER II—FEDERAL COORDINATION, PLANNING, AND REGULATION

- 721. Implementation of policy.

SUBCHAPTER III—COMMUNICATIONS SATELLITE CORPORATION

- 731 to 735. Omitted.

SUBCHAPTER IV—MISCELLANEOUS PROVISIONS

- 741 to 744. Omitted.