

**H.R. 3310, AS AMENDED BY
THE SUBCOMMITTEE ON COMMUNICATIONS
AND TECHNOLOGY ON NOVEMBER 16, 2011**

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Federal Communica-
3 tions Commission Consolidated Reporting Act of 2011”.

4 **SEC. 2. COMMUNICATIONS MARKETPLACE REPORT.**

5 Title I of the Communications Act of 1934 (47
6 U.S.C. 151 et seq.) is amended by adding at the end the
7 following:

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

9 “(a) IN GENERAL.—In the last quarter of every even-
10 numbered year, the Commission shall publish on its Web
11 site and submit to the Committee on Energy and Com-
12 merce of the House of Representatives and the Committee
13 on Commerce, Science, and Transportation of the Senate
14 a report on the state of the communications marketplace.

15 “(b) CONTENTS.—Each report required by sub-
16 section (a) shall—

17 “(1) assess the state of competition in the com-
18 munications marketplace, including competition to
19 deliver voice, video, and data services among pro-
20 viders of telecommunications, providers of commer-

1 cial mobile service (as defined in section 332), multi-
2 channel video programming distributors (as defined
3 in section 602), broadcast stations, providers of sat-
4 ellite communications, Internet service providers,
5 and other providers of communications services;

6 “(2) assess the state of deployment of commu-
7 nications capabilities, including advanced tele-
8 communications capability (as defined in section 706
9 of the Telecommunications Act of 1996 (47 U.S.C.
10 1302)), regardless of the technology used for such
11 deployment, including whether advanced tele-
12 communications capability is being deployed to all
13 Americans in a reasonable 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 (as such terms are
18 defined in section 4 of the Indian Self-Determination
19 and Education Assistance Act (25 U.S.C. 450b)), or
20 foreign governments) pose a barrier to competitive
21 entry into the communications marketplace or to the
22 competitive expansion of existing providers of com-
23 munications services;

24 “(4) describe the agenda of the Commission for
25 the next 2-year period for addressing the challenges

1 and opportunities in the communications market-
2 place that were identified through the assessments
3 under paragraphs (1) through (3); and

4 “(5) describe the actions that the Commission
5 has taken in pursuit of the agenda described pursu-
6 ant to paragraph (4) in the previous report sub-
7 mitted under this section.

8 “(c) SPECIAL REQUIREMENTS.—

9 “(1) ASSESSING COMPETITION.—In assessing
10 the state of competition under subsection (b)(1), the
11 Commission shall consider the effect of intermodal
12 competition, facilities-based competition, and com-
13 petition from new and emergent communications
14 services, including the provision of content and com-
15 munications using the Internet.

16 “(2) ASSESSING DEPLOYMENT.—In assessing
17 the state of deployment under subsection (b)(2), the
18 Commission shall compile a list of geographical
19 areas that are not served by any provider of ad-
20 vanced telecommunications capability.

21 “(3) INTERNATIONAL COMPARISONS AND DEMO-
22 GRAPHIC INFORMATION.—The Commission may use
23 readily available data to draw appropriate compari-
24 sons between the United States communications
25 marketplace and the international communications

1 marketplace and to correlate its assessments with
2 demographic information.

3 “(4) CONSIDERING SMALL BUSINESSES.—In as-
4 ssuming the state of competition under subsection
5 (b)(1) and regulatory barriers under subsection
6 (b)(3), the Commission shall consider market entry
7 barriers for entrepreneurs and other small busi-
8 nesses in the communications marketplace in accord-
9 ance with the national policy under section 257(b).”.

10 **SEC. 3. CONSOLIDATION OF REDUNDANT REPORTS; CON-**
11 **FORMING AMENDMENTS.**

12 (a) ORBIT ACT REPORT.—Section 646 of the Com-
13 munications Satellite Act of 1962 (47 U.S.C. 765e; 114
14 Stat. 57) is repealed.

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

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

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

21 (2) by redesignating subsections (c) through (e)
22 as subsections (b) through (d), respectively.

23 (d) STATUS OF COMPETITION IN THE MARKET FOR
24 THE DELIVERY OF VIDEO PROGRAMMING REPORT.—Sec-

1 tion 628 of the Communications Act of 1934 (47 U.S.C.
2 548) is amended—

3 (1) by striking subsection (g); and

4 (2) by redesignating subsection (j) as sub-
5 section (g).

6 (e) REPORT ON CABLE INDUSTRY PRICES.—

7 (1) IN GENERAL.—Section 623 of the Commu-
8 nications Act of 1934 (47 U.S.C. 543) is amended—

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

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

13 (2) CONFORMING AMENDMENT.—Section
14 613(a)(3) of the Communications Act of 1934 (47
15 U.S.C. 533(a)(3)) is amended by striking “623(l)”
16 and inserting “623(k)”.

17 (f) TRIENNIAL REPORT IDENTIFYING AND ELIMI-
18 NATING MARKET ENTRY BARRIERS FOR ENTRE-
19 PRENEURS AND OTHER SMALL BUSINESSES.—Section
20 257 of the Communications Act of 1934 (47 U.S.C. 257)
21 is amended by striking subsection (c).

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

25 (1) in subsection (b)—

1 (A) in the last sentence, by striking “If the
2 Commission’s determination is negative, it” and
3 inserting “If the Commission determines in its
4 report under section 13 of the Communications
5 Act of 1934 that advanced telecommunications
6 capability is not being deployed to all Ameri-
7 cans in a reasonable and timely fashion, the
8 Commission”; and

9 (B) by striking the first and second sen-
10 tences;

11 (2) by striking subsection (c);

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

14 (4) by redesignating subsection (d) as sub-
15 section (c).

16 (h) STATE OF COMPETITIVE MARKET CONDITIONS
17 WITH RESPECT TO COMMERCIAL MOBILE RADIO SERV-
18 ICES.—Section 332(c)(1)(C) of the Communications Act
19 of 1934 (47 U.S.C. 332(c)(1)(C)) is amended by striking
20 the first and second sentences.

21 (i) PREVIOUSLY ELIMINATED ANNUAL REPORT.—

22 (1) IN GENERAL.—Section 4 of the Commu-
23 nications Act of 1934 (47 U.S.C. 154) is amended—

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

1 (B) by redesignating subsections (l)
2 through (o) as subsections (k) through (n), re-
3 spectively.

4 (2) CONFORMING AMENDMENTS.—The Commu-
5 nications Act of 1934 is amended—

6 (A) in section 9(i), by striking “In the
7 Commission’s annual report, the Commission
8 shall prepare an analysis of its progress in de-
9 veloping such systems and” and inserting “The
10 Commission”; and

11 (B) in section 309(j)(8)(B), by striking the
12 last sentence.

13 (j) ADDITIONAL OUTDATED REPORTS.—The Com-
14 munications Act of 1934 is amended—

15 (1) in section 4—

16 (A) in subsection (b)(2)(B)(ii), by striking
17 “and shall furnish notice of such action” and
18 all that follows through “subject of the waiver”;
19 and

20 (B) in subsection (g), by striking para-
21 graph (2);

22 (2) in section 215—

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

24 (B) by redesignating subsection (c) as sub-
25 section (b);

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

2 (4) in section 309(j)—

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

4 (B) in paragraph (15)(C), by striking
5 clause (iv);

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

8 (6) in section 336(e), by amending paragraph
9 (4) to read as follows:

10 “(4) REPORT.—The Commission shall annually
11 advise the Congress on the amounts collected pursu-
12 ant to the program required by this subsection.”;

13 (7) in section 339(c), by striking paragraph (1);

14 (8) in section 396—

15 (A) by striking subsection (i);

16 (B) in subsection (k)—

17 (i) in paragraph (1), by striking sub-
18 paragraph (F); and

19 (ii) in paragraph (3)(B)(iii), by strik-
20 ing subclause (V);

21 (C) in subsection (l)(1)(B), by striking
22 “shall be included” and all that follows through
23 “The audit report”; and

24 (D) by striking subsection (m);

1 (9) in section 398(b)(4), by striking the third
2 sentence;

3 (10) in section 624A(b)(1)—

4 (A) by striking “REPORT; REGULATIONS”
5 and inserting “REGULATIONS”;

6 (B) by striking “Within 1 year after” and
7 all that follows through “on means of assuring”
8 and inserting “The Commission shall issue such
9 regulations as are necessary to assure”; and

10 (C) by striking “Within 180 days after”
11 and all that follows through “to assure such
12 compatibility.”; and

13 (11) in section 713, by striking subsection (a).

14 **SEC. 4. EFFECT ON AUTHORITY.**

15 Nothing in this Act or the amendments made by this
16 Act shall be construed to expand or contract the authority
17 of the Federal Communications Commission.

