

116TH CONGRESS  
1ST SESSION

# H. R. 427

To amend section 254 of the Communications Act of 1934 to provide reporting requirements for recipients of funds that provide access in rural and high cost areas, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

JANUARY 10, 2019

Mr. COLLINS of Georgia (for himself, Mr. AUSTIN SCOTT of Georgia, and Mr. LOUDERMILK) introduced the following bill; which was referred to the Committee on Energy and Commerce

---

## A BILL

To amend section 254 of the Communications Act of 1934 to provide reporting requirements for recipients of funds that provide access in rural and high cost areas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Connect America Fund  
5 Accountability Act of 2019”.

1 **SEC. 2. REPORTING REQUIREMENTS FOR CONNECT AMER-**  
2 **ICA FUND.**

3 (a) AMENDMENT.—Section 254 of the Communica-  
4 tions Act of 1934 (47 U.S.C. 254) is amended by adding  
5 at the end the following new subsection:

6 “(l) CONNECT AMERICA FUND REQUIREMENTS.—

7 “(1) REPORT REQUIREMENTS.—Any covered  
8 telecommunications carrier shall submit to the Com-  
9 mission a report in accordance with the require-  
10 ments of any rule or regulation promulgated by the  
11 Commission with regard to performance testing re-  
12 quired for Connect America Fund recipients that in-  
13 cludes the following:

14 “(A) The method of performance testing  
15 chosen by the covered telecommunications car-  
16 rier to demonstrate compliance with Connect  
17 America Fund model-based support.

18 “(B) If a covered telecommunications car-  
19 rier chooses to use self-testing software for the  
20 performance testing described in subparagraph  
21 (A), once every three years, information on the  
22 software and methodology used to conduct the  
23 test, including any algorithm or process relied  
24 on within the self-testing software.

25 “(C) A speed and latency report in the  
26 final quarter of the calendar year that includes

1 a list of customer locations tested more than  
2 twice during the year.

3 “(2) REPRESENTATIVE SAMPLE OF CON-  
4 SUMERS.—Any covered telecommunications carrier  
5 when randomly choosing a testing pool for the per-  
6 formance testing described in paragraph (1)(A) shall  
7 ensure the sample of consumers tested is representa-  
8 tive of the number of residences and businesses in  
9 the Connect America Fund service area being re-  
10 ported on.

11 “(3) UNIVERSAL SERVICE ADMINISTRATIVE  
12 COMPANY.—

13 “(A) DETERMINATION OF AUDITS.—In de-  
14 termining whether or not to conduct an audit of  
15 a covered telecommunications carrier, the Ad-  
16 ministrator shall consider the number and fre-  
17 quency of complaints submitted to the Commis-  
18 sion for the broadband service of that carrier.

19 “(B) PUBLIC AVAILABILITY OF AUDITS.—  
20 Any audit conducted by the Administrator shall  
21 be made available to the public.

22 “(4) DEFINITIONS.—In this subsection:

23 “(A) ADMINISTRATOR.—The term ‘Admin-  
24 istrator’ means the administrator of the Federal

1 universal service support mechanisms estab-  
2 lished under this section.

3 “(B) COVERED TELECOMMUNICATIONS  
4 CARRIER.—The term ‘covered telecommuni-  
5 cations carrier’ means an eligible telecommuni-  
6 cations carrier that provides fixed broadband  
7 internet access service and is subject to the  
8 speed and latency testing requirements set forth  
9 in any rule or regulation promulgated by the  
10 Commission with regard to Connect America  
11 Fund recipients.”.

12 (b) APPLICABILITY.—The amendment made by sub-  
13 section (a) shall only apply with respect to support re-  
14 ceived from the Connect America Fund established by the  
15 Federal Communications Commission pursuant to its au-  
16 thorities under section 254 of the Communications Act of  
17 1934 (47 U.S.C. 254) on or after the date of the enact-  
18 ment of this Act.

○