

115TH CONGRESS  
2D SESSION

# S. 875

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## AN ACT

To require the Comptroller General of the United States to conduct a study and submit a report on filing requirements under the Universal Service Fund programs.

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

1 **SECTION 1. STUDY AND REPORT ON FILING REQUIRE-**  
2 **MENTS UNDER UNIVERSAL SERVICE FUND**  
3 **PROGRAMS.**

4 (a) DEFINITIONS.—In this section—

5 (1) the term “Administrative Procedure Act”  
6 means subchapter II of chapter 5 of title 5, United  
7 States Code;

8 (2) the term “Commission” means the Federal  
9 Communications Commission;

10 (3) the term “covered carrier” means an eligi-  
11 ble telecommunications carrier or service provider  
12 that receives universal service support under sections  
13 214(e) and 254 of the Communications Act of 1934  
14 (47 U.S.C. 214(e) and 254) for the provision of  
15 service under a Universal Service Fund program;  
16 and

17 (4) the term “Universal Service Fund program”  
18 means each program of the Commission set forth  
19 under part 54 of title 47, Code of Federal Regula-  
20 tions, or any successor thereto, including—

21 (A) the Connect America Fund set forth  
22 under subpart D of that part;

23 (B) the Lifeline program set forth under  
24 subpart E of that part;

25 (C) the E-Rate program set forth under  
26 subpart F of that part;

1 (D) the Rural Health Care program set  
2 forth under subpart G of that part;

3 (E) the Remote Areas Fund set forth  
4 under subpart J of that part;

5 (F) the Connect America Fund Broadband  
6 Loop Support program set forth under subpart  
7 K of that part;

8 (G) the Mobility Fund set forth under sub-  
9 part L of that part; and

10 (H) the High Cost Loop Support for Rate-  
11 of-Return Carriers program set forth under  
12 subpart M of that part.

13 (b) STUDY AND REPORT.—Not later than 18 months  
14 after the date of enactment of this Act, the Comptroller  
15 General of the United States shall conduct a study and  
16 submit to the Commission, the Committee on Commerce,  
17 Science, and Transportation of the Senate, and the Com-  
18 mittee on Energy and Commerce of the House of Rep-  
19 resentatives a report, which shall include—

20 (1) an analysis of the filing requirements for  
21 covered carriers participating in a Universal Service  
22 Fund program, including any filings required by the  
23 Universal Service Administrative Company;

1           (2) an analysis of the financial impact of those  
2 filing requirements on covered carriers participating  
3 in a Universal Service Fund program; and

4           (3) recommendations, if any, on how to consoli-  
5 date redundant filing requirements for covered car-  
6 riers participating in a Universal Service Fund pro-  
7 gram.

8 (c) RULEMAKING.—

9           (1) NEW OR ONGOING RULEMAKING.—Except  
10 as provided in paragraph (3), not later than 60 days  
11 after the date on which the report is submitted  
12 under subsection (b), the Commission shall—

13           (A)(i) initiate a rulemaking to consolidate  
14 redundant filing requirements for covered car-  
15 riers participating in a Universal Service Fund  
16 program; and

17           (ii) incorporate into the rulemaking under  
18 clause (i), and as part of that rulemaking seek  
19 comment on, the recommendations described in  
20 subsection (b)(3), if any, except to the extent  
21 that doing so would violate the requirements of  
22 the Administrative Procedure Act; or

23           (B) incorporate into an ongoing rule-  
24 making relating to consolidating redundant fil-  
25 ing requirements of the Commission, and as

1 part of that rulemaking seek comment on, the  
2 recommendations described in subsection (b)(3),  
3 if any, except to the extent that doing so would  
4 violate the requirements of the Administrative  
5 Procedure Act.

6 (2) WASTE, FRAUD, AND ABUSE.—In a rule-  
7 making in which the Commission is required under  
8 paragraph (1) to seek comment on the recommenda-  
9 tions described in subsection (b)(3), if any, the Com-  
10 mission shall also seek comment on and consider  
11 whether the benefit of each recommendation is out-  
12 weighed by any potential increased risk of waste,  
13 fraud, and abuse in the Universal Service Fund pro-  
14 gram affected by the recommendation.

15 (3) PREVIOUS RULEMAKING.—Paragraph (1)  
16 shall not apply if, on or before the date on which the  
17 report is submitted under subsection (b), the Com-  
18 mission completes a rulemaking to consolidate re-  
19 dundant filing requirements for covered carriers par-  
20 ticipating in a Universal Service Fund program.

Passed the Senate January 10, 2018.

Attest:

*Secretary.*

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