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116TH CONGRESS
1st Session
HOUSE OF REPRESENTATIVES
REPORT
116–37

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 1644) TO RESTORE THE OPEN INTERNET ORDER OF THE FEDERAL COMMUNICATIONS COMMISSION; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 2021) TO AMEND THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985 AND TO ESTABLISH A CONGRESSIONAL BUDGET FOR FISCAL YEAR 2020; AND FOR OTHER PURPOSES

APRIL 8, 2019.—Referred to the House Calendar and ordered to be printed

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Mr. MORELLE, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. 294]

The Committee on Rules, having had under consideration House Resolution 294, by a record vote of 6 to 4, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 1644, the Save the Internet Act of 2019, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. The resolution waives all points of order against consideration of the bill. The resolution makes in order as original text for the purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–10 and provides that it shall be considered as read. The resolution waives all points of order against that amendment in the nature of a substitute. The resolution makes in order only those amendments printed in Part A of this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The resolution waives all points of order against the amendments printed in part A of this report. The resolution provides one motion to recommit with or without instructions. Section 2 of the resolution provides for consideration of H.R.

2021, the Investing for the People Act of 2019, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on the Budget. The resolution waives all points of order against consideration of the bill. The resolution makes in order as original text for the purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–11 and provides that it shall be considered as read. The resolution waives all points of order against that amendment in the nature of a substitute. The resolution makes in order only those further amendments printed in Part B of this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The resolution waives all points of order against the amendments printed in part B of this report. The resolution provides for one motion to recommit with or without instructions. Section 3 of the resolution provides that House Resolution 293 is hereby adopted. Section 4 of the resolution provides that on any legislative day during the period from April 11, 2019, through April 26, 2019: the Journal of the proceedings of the previous day shall be considered as approved; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment. Section 5 of the resolution provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4 of the resolution as though under clause 8(a) of rule I. Section 6 of the resolution provides that each day during the period addressed by section 4 of the resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546). Section 7 of the resolution provides that each day during the period addressed by section 4 of the resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII (resolutions of inquiry).

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of H.R. 1644, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendment in the nature of a substitute to H.R. 1644 made in order as original text, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendments printed in part A of this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against consideration of H.R. 2021, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendment in the nature of a substitute to H.R. 2021 made in

order as original text, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendments printed in part B of this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 49

Motion by Mr. Cole to amend the rule to H.R. 2021 to make in order and provide the appropriate waivers to amendment #13, offered by Rep. Mullin (OK), which provides for the advanced appropriation of the Indian Health Services, Contract Support Costs, and Indian Health Facilities. Defeated: 4–7

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin		Mrs. Lesko	Yea
Ms. Scanlon	Nay		
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Mr. DeSaulnier	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 50

Motion by Mr. Cole to amend the rule to H.R. 1644 to make in order and provide the appropriate waivers to amendment #17, offered by Rep. Horn (OK), which initiates a review of the challenges for Rural Broadband providers in serving hard-to-reach areas. This amendment identifies the challenges for rural broadband providers, specifically those designated to be serving "High Cost" areas by the Federal Communications Commission, to maintain, upgrade, and expand their networks in the evolving Internet Ecosystem. Defeated: 4–6

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin		Mrs. Lesko	Yea
Ms. Scanlon			
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Mr. DeSaulnier	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 51

Motion by Mr. Cole to amend the rule to H.R. 1644 to make in order and provide the appropriate waivers to amendment #11, offered by Rep. Walden (OR), which ensures that the FCC's Title II authority over "telecommunication services" to raise fees, moderate

content, and seize and control networks will be negated. Defeated: 4–6

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin		Mrs. Lesko	Yea
Ms. Scanlon			
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Mr. DeSaulnier	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 52

Motion by Mr. Cole to strike Section 3 of the rule. Defeated: 4–6

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin		Mrs. Lesko	Yea
Ms. Scanlon			
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Mr. DeSaulnier	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 53

Motion by Mr. Woodall to report open rules for H.R. 1644 and H.R. 2021. Defeated: 4–6

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin		Mrs. Lesko	Yea
Ms. Scanlon			
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Mr. DeSaulnier	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 54

Motion by Mr. Woodall to amend the rule to H.R. 2021 to make in order and provide the appropriate waivers to amendment #9, offered by Rep. Scott (GA), which makes supplemental appropriations for losses from Hurricanes Michael or Florence, other hurricanes, typhoons, volcanic activity, or wildfires occurring in calendar year 2018. Defeated: 4–6

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin		Mrs. Lesko	Yea
Ms. Scanlon			
Mr. Morelle	Nay		
Ms. Shalala	Nay		

Majority Members	Vote	Minority Members	Vote
Mr. DeSaulnier	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 55

Motion by Mr. Burgess to amend the rule to H.R. 2021 to make in order and provide the appropriate waivers to amendment #6, offered by Rep. Womack (AR), which requires mandatory spending reforms equal to or greater than the amount of the caps increase in the bill. Defeated: 4–6

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin		Mrs. Lesko	Yea
Ms. Scanlon			
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Mr. DeSaulnier	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 56

Motion by Mrs. Lesko to amend the rule to H.R. 2021 to make in order and provide the appropriate waivers to amendment #1, offered by Rep. Biggs (AZ), which expresses the sense of the House of Representatives that the national debt is a threat to the national security of the United States. Defeated: 4–6

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin		Mrs. Lesko	Yea
Ms. Scanlon			
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Mr. DeSaulnier	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 57

Motion by Mrs. Lesko to amend the rule to H.R. 2021 to make in order and provide the appropriate waivers to amendment #10, offered by Rep. Norman (SC), which requires Congress to vote on a Balanced Budget Amendment between September 30, 2019, and December 31, 2019. Defeated: 4–6

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin		Mrs. Lesko	Yea
Ms. Scanlon			
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Mr. DeSaulnier	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 58

Motion by Mr. Morelle to report the rule. Adopted: 6–4

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Nay
Mrs. Torres	Yea	Mr. Woodall	Nay
Mr. Perlmutter	Yea	Mr. Burgess	Nay
Mr. Raskin		Mrs. Lesko	Nay
Ms. Scanlon			
Mr. Morelle	Yea		
Ms. Shalala	Yea		
Mr. DeSaulnier	Yea		
Mr. McGovern, Chairman	Yea		

SUMMARY OF THE AMENDMENTS IN PART A MADE IN ORDER

1. Burgess (TX): Directs GAO to initiate a study to examine the influence of all entities on the virtuous cycle of the internet ecosystem and whether such rules protect the access of consumers to a free and open internet. (10 minutes)

2. Latta (OH): Requires the FCC to share the list of 700 rules that will be permanently forborne by the FCC should this bill become law. (10 minutes)

3. Waters (CA): Directs the Comptroller General of the United States to submit a report to Congress examining the importance of 2015 Open Internet Order to ethnic and racial minorities, socioeconomically disadvantaged groups, rural populations, individuals with disabilities, and the elderly. (10 minutes)

4. Delgado (NY): Requires GAO to produce a report, within 1 year, reviewing the benefits to consumers of broadband internet access providers offering broadband internet access service on a standalone basis and what steps Congress can take to increase the availability of standalone broadband internet access service to consumers, particularly those living in rural areas. (10 minutes)

5. Porter (CA): Requires the FCC to submit a report, within 1 year of enactment, to the Committees of Jurisdiction that describes all enforcement actions taken since enactment by the FCC with respect to persons engaged in the provision of broadband Internet access service, including the amount of each fine imposed or settlement agreed to, the actions taken by the FCC to collect such fines and settlements, and the amounts collected for such fines and settlements. (10 minutes)

6. Wexton (VA): Requires the Federal Communications Commission to submit to Congress within 30 days a plan for how the Commission will evaluate and address problems with the collection on Form 477 of data regarding the deployment of broadband Internet access service. Form 477 is used by the FCC to determine which providers are servicing which areas and it is the government's main source of data used for identifying underserved areas of opportunity. (10 minutes)

7. Davids (KS): Requires that within 1 year of enactment, the GAO shall produce a report examining the FCC's efforts to assess competition in the wireline and wireless broadband internet access markets, and how the FCC can better assess competition, and what steps, if any the FCC can take to better increase competition in the wireless and wireline broadband internet access markets. (10 minutes)

8. Stanton (AZ): Directs the Chairman of the Federal Communications Commission to engage tribal stakeholders and providers to ensure accessible and affordable broadband on tribal lands. (10 minutes)

9. Trone (MD): Finds that annual FCC reports on the state of broadband deployment are important to fostering further deployment and that Congress relies on the accuracy of these reports. Requires that 1) the FCC may not release such a report based on information it knows to be inaccurate and 2) the Commission use its best efforts to ensure all future reports are accurate and to correct past inaccuracies prior to the report's release. (10 minutes)

10. Brindisi (NY): Requires the GAO to produce a report about the ways in which the U.S. government can promote the deployment of broadband Internet access service, especially to rural areas and areas currently unserved by high-speed broadband access. (10 minutes)

11. Spanberger (VA): Requires the GAO to determine the accuracy and granularity of broadband maps produced by the FCC, and to submit to Congress a report that identifies programs and actions restored under 2(b) that rely on these maps and that makes recommendations for how the FCC can produce more accurate maps. (10 minutes)

12. McAdams (UT): Affirms that ISPs can still block unlawful content, such as child pornography or copyright-infringing materials. (10 minutes)

SUMMARY OF THE AMENDMENTS IN PART B MADE IN ORDER

1. Jayapal (WA), Pocan (WI), Omar (MN), Smith, Adam (WA), Tlaib (MI), Ocasio-Cortez (NY), Nadler (NY), Espaillat (NY), Velázquez (NY), Takano (CA), Watson Coleman (NJ), Levin, Andy (MI), Pressley (MA), Grijalva (AZ), Blumenauer (OR), Haaland (NM), Johnson, Hank (GA), Clay (MO), Lee, Barbara (CA), Garcia, Jesús (IL): Provides for equal base outlays between defense and non-defense discretionary levels of spending for FY2020 and FY2021. (10 minutes)

2. Foxx (NC), Woodall (GA): Ensure that Congress has an opportunity to take action when mandatory programs exceed their cost estimates in the five-year window after their enactment and will allow Congress to comprehensively address the issue of mandatory spending programs coming in over budget. It does so by establishing a direct spending safeguard limitation on any direct spending program without a specific level of authorized spending. (10 minutes)

3. Lee, Barbara (CA), DeLauro (CT), Schakowsky (IL), Sherrill (NJ), Jayapal (WA), Pocan (WI), Wasserman Schultz (FL), Cunningham (SC), Takano (CA), Cisneros (CA), Khanna (CA), Sarbanes (MD), Casten (IL), Pappas (NH): Creates a new Nondefense Discretionary (NDD) cap adjustment of $10 billion in FY20 and $12 billion in FY 21 for new VA MISSION Act funding, which would have to be funded under the caps under current law. (10 minutes)

PART A—TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BURGESS OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. 4. GAO REPORT ON INTERNET ECOSYSTEM.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report examining the effect of the rules described in section 2(b) on the virtuous cycle of the internet ecosystem and whether such rules protect the access of consumers to a free and open internet.

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2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LATTA OF OHIO OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. 4. REPORT.

Not later than 3 days after the date of the enactment of this Act, the Federal Communications Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that lists the 27 provisions of title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.) and the over 700 rules and regulations referred to in paragraphs 5 and 37 of the Report and Order on Remand, Declaratory Ruling, and Order described in section 2(b)(1).

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3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WATERS OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. 4. GAO REPORT ON IMPORTANCE OF OPEN INTERNET RULES TO VULNERABLE COMMUNITIES.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report examining the importance of the open internet rules to vulnerable communities.

(b) DEFINITIONS.—In this section:

(1) OPEN INTERNET RULES.—The term "open internet rules" means the rules described in section 2(b).

(2) VULNERABLE COMMUNITIES.—The term "vulnerable communities" means—

(A) ethnic and racial minorities;
(B) socioeconomically disadvantaged groups;
(C) rural populations;
(D) individuals with disabilities; and
(E) the elderly.

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4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DELGADO OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill insert the following:

SEC. 4. GAO REPORT ON BENEFITS OF STANDALONE BROADBAND.

(a) REPORT.—Not later than 1 year after the date of enactment of this Act the Comptroller General of the United States shall transmit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that assesses the benefits to consumers of broadband internet access service being offered on a standalone basis (and not as part of a bundle with other services) by providers of broadband internet access. Such report shall include recommendations for legislation to increase the availability of standalone broadband internet access service to consumers, particularly those living in rural areas.

(b) DEFINITION.—As used in subsection (a), the term "provider of broadband internet access" means a provider of broadband internet access, as such term is defined in section 8.2 of title 47, Code of Federal Regulations.

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5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PORTER OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. 4. REPORT BY FCC ON ENFORCEMENT ACTIONS.

Not later than 1 year after the date of the enactment of this Act, the Federal Communications Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that describes all enforcement actions taken by the Commission under the rules described in section 2(b) since such date of enactment, including the amount of each fine imposed or settlement agreed to, the actions taken by the Commission to collect such fines and settlements, and the amounts of such fines and settlements collected.

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6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WEXTON OF VIRGINIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. 4. PLAN RELATING TO FORM 477 DATA COLLECTION.

Not later than 30 days after the date of the enactment of this Act, the Federal Communications Commission shall submit to Congress a report containing a plan for how the Commission will evaluate and address problems with the collection on Form 477 of data regarding the deployment of broadband Internet access service (as defined in section 8.2 of title 47, Code of Federal Regulations).

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7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DAVIDS OF KANSAS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. 4. GAO REPORT ON BROADBAND INTERNET ACCESS SERVICE COMPETITION.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee

on Commerce, Science, and Transportation of the Senate a report that—

(1) examines the efforts by the Federal Communications Commission to assess competition for providers of broadband Internet access service (as defined in section 8.2 of title 47, Code of Federal Regulations) in the market;

(2) describes how the Commission can better assess competition; and

(3) includes a description of the steps, if any, the Commission can take to better increase competition among providers of broadband Internet access service (as defined in section 8.2 of title 47, Code of Federal Regulations) in the market.

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8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE STANTON OF ARIZONA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. 4. ENGAGEMENT AND OUTREACH IN INDIAN COUNTRY REGARDING THE IMPORTANCE OF ADDRESSING THE UNIQUE BROADBAND INTERNET ACCESS SERVICE CHALLENGES.

(a) ENGAGEMENT WITH TRIBAL COMMUNITIES TO ADDRESS BROADBAND INTERNET ACCESS SERVICE NEEDS.—Not later than 3 months after the date of the enactment of this Act, the Federal Communications Commission shall engage with and obtain feedback from Tribal stakeholders and providers of broadband Internet access service (as defined in section 8.2 of title 47, Code of Federal Regulations) on the effectiveness of the Commission's obligation to consult with Indian Tribes to determine whether the Commission needs to clarify the Commission's Tribal engagement statement and ensure accessible and affordable broadband Internet access service (as defined in section 8.2 of title 47, Code of Federal Regulations) in the Tribal lands and areas through the engagement and outreach.

(b) FINDINGS.—The Congress finds the following:

(1) According to an estimate from the U.S. Census Bureau, just 53% of Native Americans living on Tribal lands have access to high-speed internet service.

(2) The Government Accountability Office has found that the Federal Communications Commission data has overstated broadband availability and access on Tribal lands in the United States.

(3) A Federal court recently vacated a Federal Communications Commission order that limited Federal subsidies for wireless providers serving Tribal lands.

(4) The United States Government, industry, and non-governmental organizations should do more to identify and address the unique broadband access challenges faced by individuals living on reservations and Tribal lands.

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9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TRONE OF MARYLAND OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. 4. ACCURACY OF DATA UNDERLYING BROADBAND DEPLOYMENT REPORTS.

(a) FINDINGS.—Congress finds the following:

(1) The Commission has released reports on its inquiries under section 706(b) of the Telecommunications Act of 1996 (47 U.S.C. 1302(b)) that detail the state of the deployment of broadband service in the United States.

(2) Congress and the Commission have relied upon the accuracy of such reports to develop broadband policy.

(3) The findings of such reports have been particularly important to fostering rural broadband deployment and broadband deployment to schools and classrooms.

(b) REQUIREMENTS.—The Commission—

(1) may not release a report on an inquiry under section 706(b) of the Telecommunications Act of 1996 (47 U.S.C. 1302(b)) based on broadband deployment data that the Commission knows to be inaccurate; and

(2) shall use its best efforts to accurately detail broadband deployment in the United States and correct inaccuracies in statements made by the Commission prior to the release of a report about the report.

(c) COMMISSION DEFINED.—In this section, the term "Commission" means the Federal Communications Commission.

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10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BRINDISI OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. 4 GAO REPORT ON HIGH-SPEED INFRASTRUCTURE.

(a) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress and the Federal Communications Commission a report that contains—

(1) a list of ways the Federal Government can promote the deployment of broadband Internet access service, especially the buildout of such service to rural areas and areas without access to such service at high speeds; and

(2) recommendations with respect to policies and regulations to ensure rural areas are provided affordable access to broadband Internet access service.

(b) DEFINITIONS.—In this section:

(1) BROADBAND INTERNET ACCESS SERVICE.— The term "broadband Internet access service" has the meaning given such term in section 8.2 of title 47, Code of Federal Regulations.

(2) RURAL AREA.—The term "rural area" means any area other than—

(A) a city, town, or incorporated area that has a population of more than 20,000 inhabitants; or

(B) an urbanized area contiguous and adjacent to a city or town that has a population of more than 50,000 inhabitants.

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11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SPANBERGER OF VIRGINIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. 4. GAO REPORT ON CHALLENGES TO ACCURATE MAPPING.

(a) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) determine the accuracy and granularity of the maps produced by the Federal Communications Commission that depict wireline and wireless broadband Internet access service deployment in the United States; and

(2) submit to Congress a report that—

(A) identifies—

(i) any program of the Federal Communications Commission under a rule restored under section 2(b) that relies on such maps, including any funding program; and

(ii) any action of the Federal Communications Commission taken under a rule restored under section 2(b) that relies on such maps, including any assessment of competition in an industry; and

(B) provides recommendations for how the Federal Communications Commission can produce more accurate, reliable, and granular maps that depict wireline and wireless broadband Internet access service deployment in the United States.

(b) BROADBAND INTERNET ACCESS SERVICE DEFINED.—In this section, the term "broadband Internet access service" has the meaning given such term in section 8.2 of title 47, Code of Federal Regulations.

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12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCADAMS OF UTAH OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. 4. LAWFUL CONTENT.

(a) IN GENERAL.—As described in the Report and Order on Remand, Declaratory Ruling, and Order in the matter of protecting and promoting the open internet that was adopted by the Federal Communications Commission on February 26, 2015 (FCC 15–24)—

(1) nothing in this Act prohibits providers of broadband Internet access service from blocking content that is not lawful, such as child pornography or copyright-infringing materials; and

(2) nothing in this Act imposes any independent legal obligation on providers of broadband Internet access service to be the arbiter of what is lawful content.

(b) BROADBAND INTERNET ACCESS SERVICE DEFINED.—In this section, the term "broadband Internet access service" has the meaning given such term in section 8.2 of title 47, Code of Federal Regulations.

PART B—TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JAYAPAL OF WASHINGTON OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 1, line 17, after the dollar amount, insert "(increased by $32,982,000,000)".

Page 2, line 4, after the dollar amount, insert "(increased by $34,063,000,000)".

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2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FOXX OF NORTH CAROLINA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title I, insert the following:

SEC. 102. SPENDING LIMITATION ON DIRECT SPENDING PROGRAMS.

Section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a), as amended by section 101(d), is further amended—

(1) by striking "Discretionary appropriations" and inserting "(a) IN GENERAL.—Discretionary appropriations"; and

(2) by adding at the end the following:

"(b) ESTABLISHMENT OF SPENDING SAFEGUARD LIMITATION.—

"(1) IN GENERAL.—

"(A) IN GENERAL.—The Director of the Office of Management and Budget shall establish a spending limitation (in this subsection referred to as a 'spending safeguard limitation') with respect to any direct spending program not later than 90 days after any such program is enacted or reauthorized (as the case may be).

"(B) DETERMINATION OF SPENDING SAFEGUARD LIMITATION.—The spending safeguard limitation established under subparagraph (A) for a direct spending program shall be equal to—

"(i) with respect to any such program within budget function 050 (Defense), 550 (Health), 570 (Medicare), 600 (Income Security), 650 (Social Security), or 700 (Veterans Benefits and Services), 120 percent of the cost of the program; and

"(ii) with respect to any such program within any other budget function, 110 percent of the cost of the program.

"(C) DETERMINATION OF COST OF PROGRAM.—For purposes of subparagraphs (B)(i) and (ii), the cost of the program shall be the estimated six-year cost of the program, as determined by the Director using the scorecards or estimate (as the case may be) applicable to the program under section 4 of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933).

"(2) SPENDING SAFEGUARD LIMITATION SCORECARDS.—

"(A) IN GENERAL.—The Director shall maintain and make publicly available a spending safeguard limitation scorecard displaying the spending level for any direct spending program that is subject to a spending safeguard limitation pursuant to this subsection.

"(B) MONTHLY COSTS.—Not later than 7 days after the end of each month beginning after the first full month in which such a direct spending program is operational, the Secretary of the Treasury shall transmit to the Director a report listing the total amount of spending for any direct spending program listed on the scorecard.

"(C) OMB BIANNUAL REPORT.—After the end of any six-month period, the Director shall submit a report to the Committees on the Budget of the House of Representatives and the Senate containing the total level of spending for any such direct spending program and the relation between such level and the spending safeguard limitation applicable to such program.

"(3) PROCEDURES IN CASE OF BREACH.—

"(A) SPENDING LIMITATION BREACH REPORT.—If the Director determines, using the reports submitted under paragraph (2)(B), that a direct spending program listed on the scorecard established under paragraph (2) will reach the applicable spending safeguard limitation within six months, the Director shall transmit, not later than 15 days after the date of such determination, a report to the Committees on the Budget of the House of Representatives and the Senate and the committees that have jurisdiction over the program.

"(B) OBLIGATION LIMITATION.—If the Director determines, using the reports submitted under paragraph (2)(B), that such a direct spending program has reached the applicable spending safeguard limitation—

"(i) effective 30 days after such determination, no funds may be obligated to carry out such program; and

"(ii) on the date of such determination, the Director shall submit a report to the Committees on the Budget of the House of Representatives and the Senate and the committees that have jurisdiction over the program that such an obligation limitation has been imposed.

"(4) AGENCY PROCEDURES.—Any Federal agency implementing a direct spending program listed on the scorecard established under paragraph (2) shall ensure that any contract, offer of benefits, or other material provided to the program participants includes information specifying that the program is subject to a spending safeguard limitation that may impact future availability of funds to pay benefits.

"(5) DEFINITIONS.—In this subsection—

"(A) the term 'Director' means the Director of the Office of Management and Budget;

"(B) the term 'direct spending' has the meaning given such term in section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(8)); and

"(C) the term 'direct spending program' means any Federal program funded by direct spending that—

"(i) is enacted or reauthorized after the date of enactment of this Act; and

"(ii) does not have, in statute, a specific level (expressed as a dollar amount) of authorization of appropriations.

"(6) PROHIBITION ON NEW AUTHORIZATION OF FUNDING.—No additional funds are authorized to be appropriated to carry out this subsection.

"(7) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to alter the administration of direct spending programs in effect on the date of the enactment of this Act.".

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3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LEE OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end of title I the following new section:

SEC. 102. VA MISSION FUNDING.

Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)), as amended by section 101(c), is further amended by adding at the end the following:

"(I) COMPLETE THE VA MISSION FUNDING.—(i) If, for fiscal years 2020 and 2021, appropriations for discretionary accounts are enacted that Congress designates as being for VA MISSION funding in statute, the adjustment for a fiscal year shall be the total of such appropriations for the fiscal year in discretionary accounts designated as being for VA MISSION funding, but not to exceed the total of—

"(I) for fiscal year 2020, $10,000,000,000; and

"(II) for fiscal year 2021, $12,000,000,000.

"(ii) For the purposes of this subparagraph, the term 'VA MISSION funding' means activities funded by the following budget accounts:

"(I) Veterans Health Administration, Medical Services (036–0160–0–1–703).

"(II) Veterans Health Administration, Medical Community Care (036–0140–0–1–703).

"(III) Veterans Health Administration, Medical Support and Compliance (036–0152–0–1–703).

"(IV) Departmental Administration, Information Technology Systems (036–0167–0–1–705).

"(V) Any budget account that is established in the Treasury of the United States to implement the VA MISSION Act of 2018 (Public Law 115–182).".

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