

H.R. 4229, Broadband DATA Act

As passed by the House of Representatives on December 16, 2019

By Fiscal Year, Millions of Dollars	2020	2020-2024	2020-2029
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	*	not estimated
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	Yes, Cannot Determine Costs
* = between -\$500,000 and \$500,000.			

H.R. 4229 would require the Federal Communications Commission (FCC) to collect detailed data twice a year on the availability of broadband Internet access services. That data would be reported by providers of those broadband services. Under the act, the FCC would establish and maintain a comprehensive database and create detailed and publicly available broadband coverage maps. The act also would require the FCC to develop processes for any person or entity to submit broadband availability data to verify or challenge the FCC's database or maps.

H.R. 4229 would authorize the appropriation of \$25 million in 2021 and \$9 million annually from 2022 through 2028 to issue rules, establish reporting requirements, and hire contractors to establish a comprehensive broadband database and maps.

In total, CBO estimates that implementing the act would have a gross cost of \$52 million over the 2020-2024 period, assuming appropriation of the authorized amounts. However, the FCC is authorized to collect fees sufficient to offset the costs of its regulatory activities each year; therefore, CBO estimates that the net effect on discretionary spending for those activities would be insignificant, assuming appropriation actions consistent with that authority.

H.R. 4229 contains private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) but CBO cannot determine whether the cost of the mandates would exceed the threshold established in UMRA (\$164 million in 2019, adjusted annually for inflation).

H.R. 4229 would direct the FCC to develop rules requiring broadband service providers (terrestrial fixed, satellite, mobile, and fixed wireless) to disclose data and information to the agency. Those disclosure requirements would vary based on the type of broadband provider and would include, among other things:

- Areas where providers have developed (or could potentially develop) infrastructure for a broadband network;
- Download and upload speeds for various thresholds as established by the FCC; and a
- List of addresses or locations for the service area of the provider.

Because the rules defining content and threshold requirements (such as the frequency of data disclosures or the format for data submissions) are not complete, CBO cannot determine the cost for broadband providers to comply with the act's requirements.

If the FCC increases annual fee collections to offset the costs to implement provisions in the act, H.R. 4229 would increase the cost of an existing private-sector mandate on entities required to pay those fees. Using information from the FCC, CBO estimates that the incremental cost of the mandate would be small, about \$13 million annually, and would fall well below the annual threshold established in the UMRA.

The act contains no intergovernmental mandates as defined in UMRA.

On October 18, 2019, CBO transmitted a [cost estimate for S. 1822](#), the Broadband Deployment Accuracy and Technological Availability Act, as ordered reported by the Senate Committee on Commerce, Science, and Transportation on July 24, 2019. The two pieces of legislation are similar and CBO's estimated net costs are the same for both pieces of legislation.

The CBO staff contacts for this estimate are David Hughes and Madeleine Fox (for federal costs) and Rachel Austin (for mandates). The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.