

115TH CONGRESS  
2D SESSION

# S. 2418

To direct the Federal Communications Commission to promulgate regulations that establish a national standard for determining whether mobile and broadband services available in rural areas are reasonably comparable to those services provided in urban areas.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 2018

Ms. HASSAN (for herself and Mrs. CAPITO) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To direct the Federal Communications Commission to promulgate regulations that establish a national standard for determining whether mobile and broadband services available in rural areas are reasonably comparable to those services provided in urban areas.

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 “Rural Reasonable and  
5 Comparable Wireless Access Act of 2018”.

1 **SEC. 2. AVAILABILITY OF MOBILE AND BROADBAND SERV-**  
2 **ICES IN UNDERSERVED RURAL AREAS.**

3 (a) DEFINITIONS.—In this section:

4 (1) BROADBAND INTERNET ACCESS SERVICE.—

5 The term “broadband Internet access service”—

6 (A) means a mass-market retail service by  
7 wire or radio that provides the capability to  
8 transmit data to, and receive data from, all or  
9 substantially all Internet endpoints, including  
10 any capabilities that are incidental to, and en-  
11 able the operation of, the communications serv-  
12 ice;

13 (B) includes any service that the Commis-  
14 sion finds to provide a functional equivalent of  
15 the service described in subparagraph (A); and

16 (C) does not include dial-up Internet ac-  
17 cess service.

18 (2) COMMERCIAL MOBILE DATA SERVICE.—The  
19 term “commercial mobile data service” has the  
20 meaning given the term in section 6001 of the Mid-  
21 dle Class Tax Relief and Job Creation Act of 2012  
22 (47 U.S.C. 1401).

23 (3) COMMERCIAL MOBILE SERVICE.—The term  
24 “commercial mobile service” has the meaning given  
25 the term in section 332(d) of the Communications  
26 Act of 1934 (47 U.S.C. 332(d)).

1           (4) COMMISSION.—The term “Commission”  
2 means the Federal Communications Commission.

3           (5) RURAL TELEPHONE COMPANY.—The term  
4 “rural telephone company” has the meaning given  
5 the term in section 3 of the Communications Act of  
6 1934 (47 U.S.C. 153).

7           (6) SERVICE AREA.—The term “service area”  
8 has the meaning given the term in section 214(e) of  
9 the Communications Act of 1934 (47 U.S.C.  
10 214(e)).

11          (b) ESTABLISHMENT OF STANDARD.—Not later than  
12 180 days after the date of enactment of this Act, the Com-  
13 mission shall promulgate regulations that establish a na-  
14 tional standard to determine, with respect to access to uni-  
15 versal service in rural, insular, and high-cost areas under  
16 section 254(b)(3) of the Communications Act of 1934 (47  
17 U.S.C. 254(b)(3)), whether commercial mobile services,  
18 commercial mobile data services, and broadband Internet  
19 access services available in rural areas are reasonably com-  
20 parable to those services provided in urban areas.

21          (c) UNDERSERVED RURAL AREAS.—The standard  
22 established under subsection (b) shall—

23           (1) define a rural area as any area that is—

24                (A) a rural area, as defined in section  
25                54.600(b)(1) of title 47, Code of Federal Regu-

1           lations, as in effect on the date of enactment of  
2           this Act; or

3                   (B) a service area that is served by a rural  
4           telephone company;

5           (2) define a rural area as underserved, with re-  
6           spect to a service described in subsection (b), if serv-  
7           ice that meets or exceeds the standard established  
8           under that subsection is not available in the area;  
9           and

10           (3) provide that a rural area shall be considered  
11           underserved, with respect to a service described in  
12           subsection (b), if tests show that the service avail-  
13           able in the area does not meet or exceed the applica-  
14           ble average determined under subsection (d)(1) with  
15           respect to that service.

16           (d) DATA FROM URBAN AREAS.—The Commission  
17 shall—

18           (1) gather data on the average signal strength  
19           and average speed of commercial mobile service and  
20           commercial mobile data service, and on the average  
21           speed of broadband Internet access service, provided  
22           in the 20 most populous metropolitan statistical  
23           areas in the United States; and

24           (2) specify in the standard established under  
25           subsection (b) that—

1           (A) commercial mobile service or commer-  
2           cial mobile data service available in a rural area  
3           is reasonably comparable to that service pro-  
4           vided in an urban area only if the average sig-  
5           nal strength and average speed with respect to  
6           the service in the rural area meets or exceeds  
7           the average determined under paragraph (1)  
8           with respect to that service; and

9           (B) broadband Internet access service  
10          available in a rural area is reasonably com-  
11          parable to that service provided in an urban  
12          area only if the average speed with respect to  
13          the service in the rural area meets or exceeds  
14          the average determined under paragraph (1)  
15          with respect to that service.

16          (e) PERIODIC UPDATING OF DATA.—The Commis-  
17          sion shall periodically update the data gathered under sub-  
18          section (d)(1).

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