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(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R. _____

To require the Federal Communications Commission to provide broadband availability data to the Department of Interior.

IN THE HOUSE OF REPRESENTATIVES

Mr. CURTIS introduced the following bill; which was referred to the Committee on _____

A BILL

To require the Federal Communications Commission to provide broadband availability data to the Department of Interior.

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 “Federal Broadband
5 Deployment in Unserved Areas Act”.

6 **SEC. 2. LOCATING FEDERAL FACILITIES IN UNSERVED**
7 **AREAS.**

8 (a) DEFINITIONS.—In this section:

1 (1) APPROPRIATE COMMITTEES OF CON-
2 GRESS.—The term “appropriate committees of Con-
3 gress” means—

4 (A) the Committee on Energy and Com-
5 merce of the House of Representatives;

6 (B) the Committee on Natural Resources
7 of the House of Representatives;

8 (C) the Committee on Commerce, Science,
9 and Transportation of the Senate; and

10 (D) the Committee on Environment and
11 Public Works of the Senate.

12 (2) COMMISSION.—The term “Commission”
13 means the Federal Communications Commission.

14 (3) COMMUNICATIONS FACILITY.—The term
15 “communications facility” includes—

16 (A) any infrastructure, including any
17 transmitting device, tower, or support structure,
18 and any equipment, switches, wiring, cabling,
19 power sources, shelters, or cabinets, associated
20 with the licensed or permitted unlicensed wire-
21 less or wireline transmission of writings, signs,
22 signals, data, images, pictures, and sounds of
23 all kinds; and

24 (B) any antenna or apparatus that—

1 (i) is designed for the purpose of
2 emitting radio frequency;

3 (ii) is designed to be operated, or is
4 operating, from a fixed location pursuant
5 to authorization by the Commission or is
6 using duly authorized devices that do not
7 require individual licenses; and

8 (iii) is added to a tower, building, or
9 other structure.

10 (4) COVERED LAND.—The term “covered land”
11 means—

12 (A) public land administered by the Sec-
13 retary of the Interior; and

14 (B) National Forest System land.

15 (5) DEPARTMENT CONCERNED.—The term
16 “Department concerned” means the Department of
17 the Interior or the Department of Agriculture.

18 (6) SECRETARY CONCERNED.—The term “Sec-
19 retary concerned” means—

20 (A) the Secretary of the Interior, with re-
21 spect to public land;

22 (B) the Secretary of Agriculture, with re-
23 spect to National Forest System land; and

24 (C) the Secretary of Commerce.

25 (b) SHARING BROADBAND AVAILABILITY DATA.—

1 (1) NOTIFICATION.—Not later than 2 business
2 days after creating the maps required under section
3 802(c)(1) of the Communications Act of 1934 (47
4 U.S.C. 642(c)(1)), the Commission shall notify the
5 Secretary concerned that such maps have been cre-
6 ated.

7 (2) PROVISION OF INFORMATION.—Not later
8 than 5 business days after the notification described
9 in paragraph (1), the Commission shall provide the
10 Secretary concerned any information the Commis-
11 sion has collected pursuant to title VIII of the Com-
12 munications Act of 1934 (47 U.S.C. 641 et seq.).

13 (3) CONTINUATION.—The Commission shall
14 provide the Secretary concerned the information de-
15 scribed in paragraph (2) every 6 months unless the
16 Commission no longer has such information.

17 (4) PROTECTION OF INFORMATION.—

18 (A) IN GENERAL.—The Commission shall
19 specify to the Secretary concerned which infor-
20 mation provided under paragraph (2) was col-
21 lected in a confidential or proprietary manner,
22 and the Secretary concerned may not make
23 such information publicly available.

24 (B) FOIA.—Information provided under
25 paragraph (2) shall not be disclosed to the pub-

1 lic pursuant to section 552(b)(3)(B) of title 5,
2 United States Code.

3 (c) WORKING GROUP.—

4 (1) ESTABLISHMENT.—Not later than 30 days
5 after the date of enactment of this section, the Com-
6 mission and the Secretary concerned shall establish
7 an interagency working group to facilitate the prepa-
8 ration and interoperability of information technology
9 systems for the provision and receipt of the informa-
10 tion described in subsection (b)(2).

11 (2) NONAPPLICABILITY OF FACA.—The Federal
12 Advisory Committee Act (5 U.S.C. App.) shall not
13 apply to the interagency working group established
14 under paragraph (1).

15 (3) DETAIL OF GOVERNMENT EMPLOYEES.—
16 Any employee of the Federal Government may be
17 detailed to the interagency working group estab-
18 lished under paragraph (1) without reimbursement,
19 and that detail shall be without interruption or loss
20 of civil service status or privilege.

21 (d) REPORTS.—

22 (1) PRELIMINARY ASSESSMENT OF POTENTIAL
23 BARRIERS.—Not later 120 days after the date on
24 which the interagency working group is established
25 pursuant to subsection (c)(1), the Commission and

1 the Secretary concerned shall jointly submit a report
2 to the appropriate committees of Congress with a
3 preliminary assessment of any potential barriers to
4 sharing the information described under subsection
5 (b)(2).

6 (2) ASSESSMENTS.—Not later than 1 year after
7 the date on which the Commission provides the in-
8 formation described under subsection (b)(2) to the
9 Department concerned, the Commission and the Sec-
10 retary concerned shall jointly submit a report to the
11 appropriate committees of Congress with—

12 (A) an assessment of the effectiveness of a
13 user’s ability to locate broadband infrastructure
14 on covered land in an area to be determined as
15 unserved by the Commission on the basis of the
16 maps created under section 802(c) of the Com-
17 munications Act of 1934 (47 U.S.C. 642(c));
18 and

19 (B) an assessment of whether the Depart-
20 ment concerned prioritized the review of appli-
21 cations for a communications use authorization
22 in an area to be determined as unserved by the
23 Commission on the basis of the maps created
24 under section 802(c) of the Communications
25 Act of 1934.