117TH CONGRESS
2D SESSION

S. ______

To close the digital divide, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Mr. Wicker (for himself and Mr. Lujan) introduced the following bill; which was read twice and referred to the Committee on ______________________

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A BILL

To close the digital divide, and for other purposes.

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 “Proper Leadership to
5 Align Networks for Broadband Act” or the “PLAN for
6 Broadband Act”.

7 SEC. 2. DEFINITIONS.

8 In this Act:

9 (1) APPROPRIATE COMMITTEES OF CON-
10 GRESS.—The term “appropriate committees of Con-
11 gress” means—
(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Energy and Commerce of the House of Representatives.

(2) COVERED AGENCIES.—The term “covered agencies” means—

(A) the Federal Communications Commission;

(B) the Department of Agriculture;

(C) the National Telecommunications and Information Administration;

(D) the Department of Health and Human Services;

(E) the Appalachian Regional Commission;

(F) the Delta Regional Authority;

(G) the Economic Development Administration;

(H) the Department of Education;

(I) the Department of the Treasury;

(J) the Department of Transportation;

(K) the Institute of Museum and Library Services;

(L) the Northern Border Regional Commission;
(M) the Department of Housing and Urban Development; and

(N) the Department of the Interior.

(3) **Federal Broadband Program.**—The term “Federal broadband program” means any program administered by a covered agency that is directly or indirectly intended to increase the deployment of, access to, the affordability of, or the adoption of broadband internet access service.

(4) **Implementation Plan.**—The term “Implementation Plan” means the implementation plan developed under section 4(a).

(5) **Strategy.**—The term “Strategy” means the National Strategy to Close the Digital Divide developed under section 3(a).

**SEC. 3. STRATEGY TO IMPROVE THE COORDINATION AND MANAGEMENT OF FEDERAL BROADBAND PROGRAMS.**

(a) **In General.**—Not later than 1 year after the date of enactment of this Act, the President, in consultation with the heads of the covered agencies, shall develop and submit to the appropriate committees of Congress a National Strategy to Close the Digital Divide to—

(1) support better management of Federal broadband programs to deliver on the goal of pro-
(2) synchronize interagency coordination among
covered agencies for Federal broadband programs;

(3) synchronize interagency coordination re-
garding the process for approving the grant of an
easement, right of way, or lease to, in, over, or on
a building or any other property owned by the Fed-
eral Government for the right to install, construct,
modify, or maintain infrastructure with respect to
broadband internet access service; and

(4) reduce barriers, lower costs, and ease ad-
ministrative burdens for State, local, and Tribal gov-
ernments to participate in Federal broadband pro-
grams.

(b) NATIONAL STRATEGY TO CLOSE THE DIGITAL
DIVIDE.—The Strategy shall—

(1) list all—

(A) Federal broadband programs; and

(B) programs that exist at the State and
local levels that are directly or indirectly in-
tended to increase the deployment of, access to,
the affordability of, or the adoption of
broadband internet access service;
(2) describe current, as of the date on which
the Strategy is submitted, Federal efforts to coordi-
nate Federal broadband programs;

(3) identify gaps and limitations, including
laws, that hinder, or may hinder, coordination across
Federal broadband programs;

(4) establish clear roles and responsibilities for
the heads of the covered agencies, as well as clear
goals, objectives, and performance measures, for—

(A) the management of all Federal
broadband programs; and

(B) interagency coordination efforts with
respect to Federal broadband programs;

(5) address the cost of the Strategy, the sources
and types of resources and investments needed to
carry out the Strategy, and where those resources
and investments should be targeted based on bal-
ancing risk reductions with costs;

(6) address factors that increase the costs and
administrative burdens for State, local, and Tribal
governments with respect to participation in Federal
broadband programs;

(7) recommend incentives, legislative solutions,
and administrative actions to help State, local, and
Tribal governments more efficiently—
(A) distribute, and effectively administer, funding received from Federal broadband programs; and

(B) resolve conflicts with respect to the funding described in subparagraph (A);

(8) recommend incentives, legislative solutions, and administrative actions to—

(A) improve the coordination and management of Federal broadband programs; and

(B) eliminate duplication with respect to Federal broadband programs;

(9) describe current, as of the date on which the Strategy is submitted, efforts by covered agencies to streamline the process for granting access to an easement, right of way, or lease to, in, over, or on a building or any other property owned by the Federal Government for the right to install, construct, modify, or maintain infrastructure with respect to broadband internet access service;

(10) identify gaps and limitations with respect to allowing regional, interstate, or cross-border economic development organizations to participate in Federal broadband programs; and

(11) address specific issues relating to closing the digital divide on Tribal lands.
(c) Public Consultation.—In developing the Strategy, the President shall consult with—

(1) groups that represent consumers or the interests of the public, including economically or socially disadvantaged individuals;

(2) subject matter experts;

(3) providers of broadband internet access service;

(4) Tribal entities; and

(5) State and local agencies and entities with respect to broadband internet access service.

SEC. 4. STRATEGY IMPLEMENTATION PLAN.

(a) In General.—Not later than 120 days after the date on which the President submits the Strategy to the appropriate committees of Congress under section 3(a), the President, in coordination with the Assistant Secretary of Commerce for Communications and Information, shall develop and submit to the appropriate committees of Congress an implementation plan for the Strategy.

(b) Implementation Plan.—The Implementation Plan shall, at a minimum—

(1) provide a plan for implementing the roles, responsibilities, goals, objectives, and performance measures for the management of Federal broadband
programs and interagency coordination efforts identified in the Strategy;

(2) provide a plan for holding the covered agencies accountable for the roles, responsibilities, goals, objectives, and performance measures identified in the Strategy;

(3) describe the roles and responsibilities of the covered agencies, and the interagency mechanisms, to coordinate the implementation of the Strategy;

(4) provide a plan for regular meetings among the heads of the covered agencies to coordinate the implementation of the Strategy and improve coordination among Federal broadband programs and for permitting processes for infrastructure with respect to broadband internet access service;

(5) provide a plan for regular engagement with interested members of the public to evaluate Federal broadband programs, permitting processes for infrastructure with respect to broadband internet access service, and the progress for the implementation of the Strategy;

(6) with respect to the awarding of Federal funds or subsidies to support the deployment of broadband internet access service, provide a plan for the adoption of——
(A) common data sets regarding those awards, including a requirement that covered agencies use the maps created under title VIII of the Communications Act of 1934 (47 U.S.C. 641 et seq.); and

(B) applications regarding those awards, as described in section 903(e) of the ACCESS BROADBAND Act (47 U.S.C. 1307(e));

(7) provide a plan to monitor and reduce waste, fraud, and abuse in Federal broadband programs, including wasteful spending resulting from fragmented, overlapping, and unnecessarily duplicative programs;

(8) require consistent obligation and expenditure reporting by covered agencies for Federal broadband programs, which shall be consistent with section 903(c)(2) of the ACCESS BROADBAND Act (47 U.S.C. 1307(c)(2));

(9) provide a plan to increase awareness of, and participation and enrollment in, Federal broadband programs relating to the affordability and adoption of broadband internet access service; and

(10) describe the administrative and legislative action that is necessary to carry out the Strategy.
(c) PUBLIC COMMENT.—Not later than 30 days after the date on which the President submits the Strategy to the appropriate committees of Congress under section 3(a), the President shall seek public comment regarding the development and implementation of the Implementation Plan.

SEC. 5. BRIEFINGS AND IMPLEMENTATION.

(a) BRIEFING.—Not later than 21 days after the date on which the President submits the Implementation Plan to the appropriate committees of Congress under section 4(a), the President, and appropriate representatives from the covered agencies involved in the formulation of the Strategy, shall provide a briefing on the implementation of the Strategy to the appropriate committees of Congress.

(b) IMPLEMENTATION.—

(1) IN GENERAL.—The President and the Assistant Secretary of Commerce for Communications and Information shall—

(A) implement the Strategy in accordance with the terms of the Implementation Plan; and

(B) not later than 90 days after the date on which the President begins to implement the Strategy, and not less frequently than once every 90 days thereafter until the date on which the Implementation Plan is fully implemented,
brief the appropriate committees of Congress on
the progress in implementing the Implementation Plan.

(2) RULE OF CONSTRUCTION.—Nothing in this
subsection may be construed to affect the authority
or jurisdiction of the Federal Communications Com-
mission or confer upon the President or any execu-
tive agency the power to direct the actions of the
Federal Communications Commission, either directly
or indirectly.

SEC. 6. GOVERNMENT ACCOUNTABILITY OFFICE STUDIES
AND REPORTS.
Not later than 1 year after the date on which the
President submits the Implementation Plan to the appro-
priate committees of Congress under section 4(a), the
Comptroller General of the United States shall commence
a study—

(1) that shall—

(A) examine the efficacy of the Strategy
and the Implementation Plan in closing the dig-
tital divide; and

(B) make recommendations regarding how
to improve the Strategy and the Implementa-
tion Plan; and
(2) the results of which the Comptroller General shall submit to the appropriate committees of Congress.