

118TH CONGRESS
1ST SESSION

H. R. 3361

To direct the Assistant Secretary of Commerce for Communications and Information to submit a report on the digital divide and to update the Indicators of Broadband Need mapping application, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2023

Mr. CÁRDENAS introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To direct the Assistant Secretary of Commerce for Communications and Information to submit a report on the digital divide and to update the Indicators of Broadband Need mapping application, 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. REPORT ON DIGITAL DIVIDE.**

4 (a) REPORT REQUIRED.—Not later than 1 year after
5 the date of the enactment of this Act, and annually there-
6 after for the subsequent 10-year period, the Assistant Sec-
7 retary, in consultation with the Federal Communications
8 Commission, shall submit to the Committee on Energy

1 and Commerce of the House of Representatives and the
2 Committee on Commerce, Science, and Transportation of
3 the Senate, and make publicly available on the website of
4 the NTIA, a report on the state of the digital divide, which
5 shall include the following:

- 6 (1) Information on and an analysis of—
- 7 (A) barriers to, and trends regarding,
8 broadband access, adoption, and affordability;
- 9 (B) the connection between—
- 10 (i) broadband access, adoption, and
11 affordability; and
- 12 (ii) various socioeconomic indicators;
- 13 and
- 14 (C) the impact of Federal programs on
15 broadband access, adoption, and affordability.
- 16 (2) An assessment of the sufficiency of existing
17 data collection and data sets with respect to the
18 analysis described in paragraph (1) and, if nec-
19 essary, recommendations for NTIA actions to im-
20 prove data quality.
- 21 (3) Recommendations for legislative action to
22 facilitate closure of the digital divide.
- 23 (b) ASSEMBLY PROCESS.—In assembling each report
24 required by subsection (a), the Assistant Secretary shall—

1 (1) utilize all available and relevant data, in-
2 cluding data associated with the Indicators of
3 Broadband Need mapping application of the NTIA
4 and published research and data from individuals
5 and entities other than the NTIA;

6 (2) solicit public comment;

7 (3) hold public meetings with relevant stake-
8 holders; and

9 (4) consult with experts on and representatives
10 of communities that are unserved or underserved
11 with respect to broadband.

12 **SEC. 2. INDICATORS OF BROADBAND NEED MAPPING AP-**
13 **PLICATION.**

14 (a) UPDATE REQUIRED.—Not later than 180 days
15 after the date of the enactment of this Act, and every 180
16 days thereafter, the Assistant Secretary shall update the
17 Indicators of Broadband Need mapping application of the
18 NTIA to ensure that such application incorporates, and
19 includes display layers with respect to, the following:

20 (1) Data from the Broadband Data Collection
21 system of the Federal Communications Commission,
22 including data on availability and subscription rates
23 for broadband tiers with a download speed of more
24 than 25 megabits per second and an upload speed
25 of more than 3 megabits per second.

1 (2) Third-party data on the results of mobile
2 network speed and signal strength tests.

3 (3) The identification of—

4 (A) areas of persistent poverty (as such
5 term is defined in section 6702(a) of title 49,
6 United States Code);

7 (B) historically disadvantaged communities
8 (as such term is used in section 6702 of title
9 49, United States Code);

10 (C) areas impacted by previous redlining
11 practices (as determined using maps produced
12 by the Home Owners' Loan Corporation); and

13 (D) congressional districts.

14 (4) Data on eligibility and enrollment with re-
15 spect to the Affordable Connectivity Program estab-
16 lished under section 904(b) of division N of the Con-
17 solidated Appropriations Act, 2021 (47 U.S.C.
18 1752).

19 (b) RULE OF CONSTRUCTION.—Nothing in this sec-
20 tion may be construed to limit the authority of the Assist-
21 ant Secretary to incorporate, as part of the Indicators of
22 Broadband Need mapping application of the NTIA, ele-
23 ments in addition to the elements identified in subsection
24 (a).

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) ASSISTANT SECRETARY.—The term “Assist-
4 ant Secretary” means the Assistant Secretary of
5 Commerce for Communications and Information.

6 (2) NTIA.—The term “NTIA” means the Na-
7 tional Telecommunications and Information Admin-
8 istration.

○