

117TH CONGRESS  
1ST SESSION

# S. 592

To establish a reserve fund for the proceeds of the C-band auction conducted by the Federal Communications Commission.

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IN THE SENATE OF THE UNITED STATES

MARCH 4, 2021

Mr. WICKER (for himself and Mrs. BLACKBURN) 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 establish a reserve fund for the proceeds of the C-band auction conducted by the Federal Communications Commission.

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 “Broadband Reserve  
5 Fund Act of 2021”.

6 **SEC. 2. BROADBAND AND CONNECTIVITY RESERVE FUND.**

7 (a) DEFINITIONS.—In this section—

1           (1) the term “Assistant Secretary” means the  
2 Assistant Secretary of Commerce for Communica-  
3 tions and Information; and

4           (2) the term “Commission” means the Federal  
5 Communications Commission.

6 (b) ESTABLISHMENT OF RESERVE FUND.—

7           (1) IN GENERAL.—There is established in the  
8 Treasury of the United States a fund to be known  
9 as the “Broadband Reserve Fund” (referred to in  
10 this section as the “Fund”).

11           (2) AVAILABILITY.—

12           (A) IN GENERAL.—Amounts deposited in  
13 the Fund shall remain available through fiscal  
14 year 2030.

15           (B) USE FOR DEFICIT REDUCTION.—Any  
16 amounts remaining in the Fund after the end  
17 of fiscal year 2030 shall be deposited in the  
18 general fund of the Treasury for the sole pur-  
19 pose of deficit reduction.

20 (c) USE OF FUND.—

21           (1) IN GENERAL.—Subject to paragraph (2)—

22           (A) amounts in the Fund shall be available  
23 for use by the Commission; and

24           (B) the Commission—

1 (i) shall reserve not less than 20 per-  
2 cent of the amounts in the Fund for use  
3 by the Assistant Secretary; and

4 (ii) shall transfer the amounts re-  
5 served under clause (i) to the Assistant  
6 Secretary upon request.

7 (2) LIMITATION.—The Commission and the As-  
8 sistant Secretary may not access or use amounts in  
9 the Fund for any purpose unless specifically author-  
10 ized by an Act of Congress enacted after the date  
11 of enactment of this Act.

12 (3) SENSE OF CONGRESS REGARDING PERMISS-  
13 SIBLE USES OF FUND.—It is the sense of Congress  
14 that Congress should enact further legislation speci-  
15 fying the purposes for which amounts in the Fund  
16 may be used, which may include—

17 (A) broadband deployment to unserved  
18 areas;

19 (B) distance and remote learning;

20 (C) digital equity and expanding  
21 broadband access in minority communities and  
22 on Tribal land;

23 (D) securing the telecommunications sup-  
24 ply chain;

25 (E) promoting spectrum efficiency;

1 (F) investment in public safety commu-  
 2 nications infrastructure;

3 (G) precision agriculture technologies; and

4 (H) telehealth technologies.

5 (d) INVESTMENT.—Amounts in the Fund shall be in-  
 6 vested in accordance with section 9702 of title 31, United  
 7 States Code, and any interest on, and proceeds from, any  
 8 such investment shall be credited to, and become a part  
 9 of, the Fund.

10 (e) DEPOSIT OF C-BAND SPECTRUM AUCTION PRO-  
 11 CEEDS IN FUND.—Section 309(j)(8) of the Communica-  
 12 tions Act of 1934 (47 U.S.C. 309(j)(8)) is amended—

13 (1) in subparagraph (A), by striking “and (G)”  
 14 and inserting “(G), and (H)”;

15 (2) in subparagraph (C)(i), by striking “and  
 16 (G)” and inserting “(G), and (H)”;

17 (3) by adding at the end the following:

18 “(H) C-BAND AUCTION PROCEEDS.—Not-  
 19 withstanding subparagraph (A), and except as  
 20 provided in subparagraph (B), of the proceeds  
 21 (including deposits and upfront payments from  
 22 successful bidders) from the use of a system of  
 23 competitive bidding under this subsection to  
 24 award licenses in the band of frequencies be-  
 25 tween 3700 megahertz and 3980 megahertz

1 (designated by the Commission as ‘Auction  
2 107’), \$65,000,000,000 shall be deposited in  
3 the Broadband Reserve Fund established under  
4 section 3 of the Broadband Reserve Fund Act  
5 of 2021.’.

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