

117TH CONGRESS
1ST SESSION

S. 2965

To require the Federal Communications Commission to study the current and projected demands on rural broadband networks associated with data transmission due to increased network usage.

IN THE SENATE OF THE UNITED STATES

OCTOBER 7, 2021

Mr. BRAUN introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To require the Federal Communications Commission to study the current and projected demands on rural broadband networks associated with data transmission due to increased network usage.

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. DEFINITIONS.**

4 In this Act:

5 (1) COMMISSION.—The term “Commission”
6 means the Federal Communications Commission.

7 (2) COVERED PERIOD.—The term “covered pe-
8 riod” means the 6-year period that—

1 (A) begins on the date that is 3 years be-
 2 fore the date on which the proceeding under
 3 section 2(a)(1) is initiated; and

4 (B) ends on the date that is 3 years after
 5 the date on which the proceeding under section
 6 2(a)(1) is initiated.

7 (3) HIGH-COST RURAL AREA.—The term “high-
 8 cost rural area” means an area of the United States
 9 that is not contained within an incorporated city or
 10 town with a population of more than 20,000 inhab-
 11 itants.

12 (4) QUALIFYING BROADBAND SERVICE.—The
 13 term “qualifying broadband service” means broad-
 14 band service with measurable speeds of not less than
 15 the speeds required for the service to qualify as an
 16 advanced telecommunications capability, as that
 17 term is defined in section 706(d) of the Tele-
 18 communications Act of 1996 (47 U.S.C. 1302(d)).

19 (5) RURAL BROADBAND NETWORK.—The term
 20 “rural broadband network” means the plant, equip-
 21 ment, components, facilities, hardware, and software
 22 used by a rural broadband provider to provide quali-
 23 fying broadband service in a high-cost rural area.

24 (6) RURAL BROADBAND PROVIDER.—The term
 25 “rural broadband provider” means an entity that—

1 (A) provides qualifying broadband service
2 in a high-cost rural area using any terrestrial
3 technology, including a fixed or mobile wireless
4 or wireline network; and

5 (B) provides qualifying broadband service
6 to fewer than 250,000 customers.

7 **SEC. 2. RURAL BROADBAND NETWORK ADVANCEMENT**
8 **STUDY.**

9 (a) PROCEEDING BY FCC.—

10 (1) IN GENERAL.—

11 (A) INITIATION.—Not later than 1 year
12 after the date of enactment of this Act, the
13 Commission shall initiate a proceeding to ana-
14 lyze the demands that have been or will be
15 placed on rural broadband networks during the
16 covered period that are associated with data
17 transmitted over those networks.

18 (B) CONCLUSION.—Not later than 1 year
19 after initiating the proceeding under subpara-
20 graph (A), the Commission shall conclude the
21 proceeding.

22 (2) MATTERS FOR ANALYSIS.—The analysis
23 conducted under paragraph (1) shall include the fol-
24 lowing:

1 (A) ESTIMATION AND ANALYSIS OF NET-
2 WORK USAGE.—

3 (i) OVERALL DATA TRANSFERS.—An
4 estimate of the quantity of data that has
5 been or will be transmitted over rural
6 broadband networks during the covered pe-
7 riod.

8 (ii) CATEGORIES OF NETWORK
9 USAGE.—An analysis of the quantity of
10 data that has been or will be transmitted
11 over rural broadband networks during the
12 covered period broken down by content
13 owner, licensor, or distributor, in order to
14 produce an estimate of network usage by
15 type of content, use, and purpose.

16 (B) CALCULATION OF COSTS.—

17 (i) IN GENERAL.—A calculation of the
18 costs to rural broadband providers during
19 the covered period associated with trans-
20 mission of data over rural broadband net-
21 works that are not already recovered
22 through—

23 (I) user rates that are reasonably
24 comparable to user rates in urban
25 areas; or

(II) Federal programs aimed at promoting rural broadband deployment or sustaining rural broadband networks, including Federal universal service support programs established under section 254 of the Communications Act of 1934 (47 U.S.C. 254).

(ii) COSTS DESCRIBED.—The categories of costs to be calculated under clause (i) shall include costs associated with—

(I) the initial deployment of rural broadband networks;

(II) the operation and maintenance of rural broadband networks; and

(III) the delivery of services to users over rural broadband networks, including the transmission of data between high-cost rural areas and urban or suburban interconnection points.

(3) PROVISION OF INFORMATION.—Notwithstanding any other provision of law, a rural broadband provider may disclose to the Commission—

1 (A) the quantity of data transmitted over
2 rural broadband networks of the provider, bro-
3 ken down by content owner, licensor, or dis-
4 tributor; and

5 (B) any other information necessary for
6 the Commission to complete the proceeding
7 under paragraph (1).

8 (b) REPORT TO CONGRESS.—Not later than 120 days
9 after concluding the proceeding under subsection (a)(1),
10 the Commission shall publish on its website and submit
11 to the Committee on Commerce, Science, and Transpor-
12 tation of the Senate and the Committee on Energy and
13 Commerce of the House of Representatives a report on
14 the findings of the proceeding.

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