

# Calendar No. 113

115TH CONGRESS  
1ST SESSION

## S. 88

[Report No. 115–90]

To ensure appropriate spectrum planning and interagency coordination to support the Internet of Things.

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IN THE SENATE OF THE UNITED STATES

JANUARY 10, 2017

Mrs. FISCHER (for herself, Mr. BOOKER, Mr. GARDNER, and Mr. SCHATZ) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

JUNE 5, 2017

Reported by Mr. THUNE, without amendment

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## A BILL

To ensure appropriate spectrum planning and interagency coordination to support the Internet of Things.

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 “Developing Innovation  
5 and Growing the Internet of Things Act” or “DIGIT  
6 Act”.

1 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

2 (a) FINDINGS.—Congress finds that—

3 (1) the Internet of Things refers to the growing  
4 number of connected and interconnected devices;

5 (2) estimates indicate that more than  
6 50,000,000,000 devices will be connected to the  
7 Internet by the year 2020;

8 (3) the Internet of Things has the potential to  
9 generate trillions of dollars in new economic activity  
10 around the world;

11 (4) businesses across the United States can de-  
12 velop new services and products, improve operations,  
13 simplify logistics, cut costs, and pass savings on to  
14 consumers by utilizing the Internet of Things and  
15 related innovations;

16 (5) the United States leads the world in the de-  
17 velopment of technologies that support the Internet  
18 and the United States technology sector is well-posi-  
19 tioned to lead in the development of technologies for  
20 the Internet of Things;

21 (6) the United States Government can imple-  
22 ment this technology to better deliver services to the  
23 public; and

24 (7) the United States Senate unanimously  
25 passed Senate Resolution 110, 114th Congress,  
26 agreed to March 24, 2015, calling for a national

1 strategy for the development of the Internet of  
2 Things.

3 (b) SENSE OF CONGRESS.—It is the sense of Con-  
4 gress that policies governing the Internet of Things should  
5 maximize the potential and development of the Internet  
6 of Things to benefit all stakeholders, including businesses,  
7 governments, and consumers.

8 **SEC. 3. DEFINITIONS.**

9 In this Act:

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

13 (A) the Committee on Commerce, Science,  
14 and Transportation of the Senate; and

15 (B) the Committee on Energy and Com-  
16 merce of the House of Representatives.

17 (2) COMMISSION.—The term “Commission”  
18 means the Federal Communications Commission.

19 (3) SECRETARY.—The term “Secretary” means  
20 the Secretary of Commerce.

21 (4) STEERING COMMITTEE.—The term “steer-  
22 ing committee” means the steering committee estab-  
23 lished under section 4(e)(1).

1           (5) WORKING GROUP.—The term “working  
2           group” means the working group convened under  
3           section 4(a).

4 **SEC. 4. FEDERAL WORKING GROUP.**

5           (a) IN GENERAL.—The Secretary shall convene a  
6           working group of Federal stakeholders for the purpose of  
7           providing recommendations and a report to Congress re-  
8           lated to the aspects of the Internet of Things described  
9           in subsection (b).

10          (b) DUTIES.—The working group shall—

11               (1) identify any Federal regulations, statutes,  
12               grant practices, budgetary or jurisdictional chal-  
13               lenges, and other sector-specific policies that are in-  
14               hibiting or could inhibit the development of the  
15               Internet of Things;

16               (2) consider policies or programs that encour-  
17               age and improve coordination among Federal agen-  
18               cies with jurisdiction over the Internet of Things;

19               (3) consider any findings or recommendations  
20               made by the steering committee and, where appro-  
21               priate, act to implement those recommendations; and

22               (4) examine—

23                       (A) how Federal agencies can benefit from  
24                       utilizing the Internet of Things;

1 (B) the use of Internet of Things tech-  
2 nology by Federal agencies as of the date the  
3 working group performs the examination;

4 (C) the preparedness and ability of Federal  
5 agencies to adopt Internet of Things technology  
6 in the future; and

7 (D) any additional security measures that  
8 Federal agencies may need to take to—

9 (i) safely and securely use the Inter-  
10 net of Things; and

11 (ii) enhance the resiliency of Federal  
12 systems against cyber threats to the Inter-  
13 net of Things.

14 (c) AGENCY REPRESENTATIVES.—In convening the  
15 working group under subsection (a), the Secretary shall  
16 have discretion to appoint representatives and shall spe-  
17 cifically consider seeking representation from—

18 (1) the Department of Commerce, including—

19 (A) the National Telecommunications and  
20 Information Administration;

21 (B) the National Institute of Standards  
22 and Technology; and

23 (C) the National Oceanic and Atmospheric  
24 Administration;

25 (2) the Department of Transportation;

- 1 (3) the Department of Homeland Security;
- 2 (4) the Office of Management and Budget;
- 3 (5) the National Science Foundation;
- 4 (6) the Commission;
- 5 (7) the Federal Trade Commission;
- 6 (8) the Office of Science and Technology Policy;
- 7 and
- 8 (9) the Department of Energy.

9 (d) NONGOVERNMENTAL STAKEHOLDERS.—The  
10 working group shall consult with nongovernmental stake-  
11 holders, including—

- 12 (1) the steering committee;
- 13 (2) information and communications technology  
14 manufacturers, suppliers, service providers, and ven-  
15 dors;
- 16 (3) subject matter experts representing indus-  
17 trial sectors other than the technology sector that  
18 can benefit from the Internet of Things, including  
19 the agriculture and health care sectors;
- 20 (4) small, medium, and large businesses;
- 21 (5) think tanks and academia;
- 22 (6) nonprofits and consumer groups;
- 23 (7) rural stakeholders; and
- 24 (8) other stakeholders with relevant expertise,  
25 as determined by the Secretary.

1 (e) STEERING COMMITTEE.—

2 (1) ESTABLISHMENT.—There is established  
3 within the Department of Commerce a steering com-  
4 mittee to advise the working group.

5 (2) DUTIES.—The steering committee shall ad-  
6 vise the working group with regard to—

7 (A) the identification of any Federal regu-  
8 lations, statutes, grant practices, programs,  
9 budgetary or jurisdictional challenges, and  
10 other sector-specific policies that are inhibiting  
11 or could inhibit the development of the Internet  
12 of Things;

13 (B) whether adequate spectrum is available  
14 to support the growing Internet of Things and  
15 what legal or regulatory barriers may exist to  
16 providing any spectrum needed in the future;

17 (C) policies or programs that—

18 (i) promote or are related to the pri-  
19 vacy of individuals who use or are affected  
20 by the Internet of Things;

21 (ii) may enhance the security of the  
22 Internet of Things;

23 (iii) may protect users of the Internet  
24 of Things; and

1 (iv) may encourage coordination  
2 among Federal agencies with jurisdiction  
3 over the Internet of Things;

4 (D) the opportunities and challenges asso-  
5 ciated with the use of Internet of Things tech-  
6 nology by small businesses; and

7 (E) any international proceeding, inter-  
8 national negotiation, or other international mat-  
9 ter affecting the Internet of Things to which  
10 the United States is or should be a party.

11 (3) MEMBERSHIP.—The Secretary shall appoint  
12 to the steering committee members representing a  
13 wide range of stakeholders outside of the Federal  
14 Government with expertise relating to the Internet  
15 of Things, including—

16 (A) information and communications tech-  
17 nology manufacturers, suppliers, service pro-  
18 viders, and vendors;

19 (B) subject matter experts representing in-  
20 dustrial sectors other than the technology sector  
21 that can benefit from the Internet of Things,  
22 including the agriculture and health care sec-  
23 tors;

24 (C) small, medium, and large businesses;

25 (D) think tanks and academia;

1 (E) nonprofit organizations and consumer  
2 groups;

3 (F) rural stakeholders; and

4 (G) other stakeholders with relevant exper-  
5 tise, as determined by the Secretary.

6 (4) REPORT.—Not later than 1 year after the  
7 date of enactment of this Act, the steering com-  
8 mittee shall submit to the working group a report  
9 that includes any findings or recommendations of  
10 the steering committee.

11 (5) INDEPENDENT ADVICE.—

12 (A) IN GENERAL.—The steering committee  
13 shall set the agenda of the steering committee  
14 in carrying out the duties of the steering com-  
15 mittee under paragraph (2).

16 (B) SUGGESTIONS.—The working group  
17 may suggest topics or items for the steering  
18 committee to study, and the steering committee  
19 shall take such suggestions into consideration in  
20 carrying out the duties of the steering com-  
21 mittee.

22 (C) REPORT.—The steering committee  
23 shall ensure that the report submitted under  
24 paragraph (4) is the result of the independent  
25 judgment of the steering committee.

1           (6) TERMINATION.—The steering committee  
2 shall terminate on the date on which the working  
3 group submits the report under subsection (f) un-  
4 less, on or before that date, the Secretary files a new  
5 charter for the steering committee under section 9(c)  
6 of the Federal Advisory Committee Act (5 U.S.C.  
7 App.).

8 (f) REPORT TO CONGRESS.—

9           (1) IN GENERAL.—Not later than 18 months  
10 after the date of enactment of this Act, the working  
11 group shall submit to the appropriate committees of  
12 Congress a report that includes—

13           (A) the findings and recommendations of  
14 the working group with respect to the duties of  
15 the working group under subsection (b);

16           (B) the report submitted by the steering  
17 committee under subsection (e)(4), as the re-  
18 port was received by the working group;

19           (C) recommendations for action or reasons  
20 for inaction, as applicable, on each rec-  
21 ommendation made by the steering committee  
22 in the report submitted under subsection (e)(4);  
23 and

24           (D) an accounting of any progress made  
25 by Federal agencies to implement recommenda-

1           tions made by the working group or the steer-  
2           ing committee.

3           (2) COPY OF REPORT.—Any committee of Con-  
4           gress, upon request, may obtain a copy of the report  
5           submitted under paragraph (1).

6 **SEC. 5. ASSESSING SPECTRUM NEEDS.**

7           (a) IN GENERAL.—The Commission, in consultation  
8           with the National Telecommunications and Information  
9           Administration, shall issue a notice of inquiry seeking pub-  
10          lic comment on the current, as of the date of enactment  
11          of this Act, and future spectrum needs of the Internet of  
12          Things.

13          (b) REQUIREMENTS.—In issuing the notice of inquiry  
14          under subsection (a), the Commission shall seek comments  
15          that consider and evaluate—

16                 (1) whether adequate spectrum is available to  
17                 support the growing Internet of Things;

18                 (2) what regulatory barriers may exist to pro-  
19                 viding any needed spectrum for the Internet of  
20                 Things; and

21                 (3) what the role of licensed and unlicensed  
22                 spectrum is and will be in the growth of the Internet  
23                 of Things.

24          (c) REPORT.—Not later than 1 year after the date  
25          of enactment of this Act, the Commission shall submit to

1 the appropriate committees of Congress a report summa-  
2 rizing the comments submitted in response to the notice  
3 of inquiry issued under subsection (a).



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