

110TH CONGRESS  
1ST SESSION

# S. 1190

To promote the deployment and adoption of telecommunications services and information technologies, and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

APRIL 24, 2007

Mr. DURBIN (for himself, Mr. SMITH, and Mr. OBAMA) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

---

## A BILL

To promote the deployment and adoption of telecommunications services and information technologies, 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 “Connect The Nation  
5 Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The deployment and adoption of broadband  
9 services and information technology has resulted in

1 enhanced economic development and public safety  
2 for communities across the Nation, improved health  
3 care and educational opportunities, and a better  
4 quality of life for all Americans.

5 (2) Continued progress in the deployment and  
6 adoption of broadband and other advanced informa-  
7 tion services is vital to ensuring that our Nation re-  
8 mains competitive and continues to create business  
9 and job growth.

10 (3) The Federal Government should also recog-  
11 nize and encourage complementary state efforts to  
12 improve the quality and usefulness of broadband  
13 data and should encourage and support the partner-  
14 ship of the public and private sectors in the contin-  
15 ued growth of broadband services and information  
16 technology for the residents and businesses of the  
17 Nation.

18 **SEC. 3. ENCOURAGING STATE INITIATIVES TO IMPROVE**  
19 **BROADBAND.**

20 (a) **PURPOSES.**—The purposes of any grant under  
21 subsection (b) are—

22 (1) to ensure that all citizens and businesses in  
23 a State have access to affordable and reliable  
24 broadband service;

1           (2) to achieve improved technology literacy, in-  
2           creased computer ownership, and home broadband  
3           use among such citizens and businesses;

4           (3) to establish and empower local grassroots  
5           technology teams in each State to plan for improved  
6           technology use across multiple community sectors;  
7           and

8           (4) to establish and sustain an environment  
9           ripe for broadband services and information tech-  
10          nology investment.

11          (b) ESTABLISHMENT OF STATE BROADBAND DATA  
12          AND DEVELOPMENT GRANT PROGRAM.—

13           (1) IN GENERAL.—The Secretary of Commerce  
14          shall award grants, taking into account the results  
15          of the peer review process under subsection (d), to  
16          eligible entities for the development and implementa-  
17          tion of statewide initiatives to identify and track the  
18          availability and adoption of broadband services with-  
19          in each State.

20           (2) COMPETITIVE BASIS.—Any grant under  
21          subsection (b) shall be awarded on a competitive  
22          basis.

23           (c) ELIGIBILITY.—To be eligible to receive a grant  
24          under subsection (b), an eligible entity shall—

1           (1) submit an application to the Secretary of  
2 Commerce, at such time, in such manner, and con-  
3 taining such information as the Secretary may re-  
4 quire; and

5           (2) contribute matching non-Federal funds in  
6 an amount equal to not less than 20 percent of the  
7 total amount of the grant.

8 (d) PEER REVIEW.—

9           (1) IN GENERAL.—The Secretary shall by regu-  
10 lation require appropriate technical and scientific  
11 peer review of applications made for grants under  
12 this section.

13           (2) REVIEW PROCEDURES.—The regulations re-  
14 quired under paragraph (1) shall require that any  
15 technical and scientific peer review group—

16           (A) be provided a written description of  
17 the grant to be reviewed;

18           (B) provide the results of any review by  
19 such group to the Secretary of Commerce; and

20           (C) certify that such group will enter into  
21 voluntary nondisclosure agreements as nec-  
22 essary to prevent the unauthorized disclosure of  
23 confidential and propriety information provided  
24 by broadband service providers in connection  
25 with projects funded by any such grant.

1 (e) USE OF FUNDS.—A grant awarded to an eligible  
2 entity under subsection (b) shall be used—

3 (1) to provide a baseline assessment of  
4 broadband service deployment in each State;

5 (2) to identify and track—

6 (A) areas in each State that have low lev-  
7 els of broadband service deployment;

8 (B) the rate at which residential and busi-  
9 ness adopt broadband service and other related  
10 information technology services; and

11 (C) possible suppliers of such services;

12 (3) to identify barriers to the adoption by indi-  
13 viduals and businesses of broadband service and re-  
14 lated information technology services, including  
15 whether or not—

16 (A) the demand for such services is absent;

17 and

18 (B) the supply for such services is capable  
19 of meeting the demand for such services;

20 (4) to create and facilitate in each county or  
21 designated region in a State a local technology plan-  
22 ning team—

23 (A) with members representing a cross sec-  
24 tion of the community, including representatives  
25 of business, telecommunications labor organiza-

1 tions, K-12 education, health care, libraries,  
2 higher education, community-based organiza-  
3 tions, local government, tourism, parks and  
4 recreation, and agriculture; and

5 (B) which shall—

6 (i) benchmark technology use across  
7 relevant community sectors;

8 (ii) set goals for improved technology  
9 use within each sector; and

10 (iii) develop a tactical business plan  
11 for achieving its goals, with specific rec-  
12 ommendations for online application devel-  
13 opment and demand creation;

14 (5) to work collaboratively with broadband serv-  
15 ice providers and information technology companies  
16 to encourage deployment and use, especially in  
17 unserved and underserved areas, through the use of  
18 local demand aggregation, mapping analysis, and the  
19 creation of market intelligence to improve the busi-  
20 ness case for providers to deploy;

21 (6) to establish programs to improve computer  
22 ownership and Internet access for unserved and un-  
23 derserved populations;

1           (7) to collect and analyze detailed market data  
2           concerning the use and demand for broadband serv-  
3           ice and related information technology services;

4           (8) to facilitate information exchange regarding  
5           the use and demand for broadband services between  
6           public and private sectors; and

7           (9) to create within each State a geographic in-  
8           ventory map of broadband service, which shall—

9                   (A) identify gaps in such service through a  
10                   method of geographic information system map-  
11                   ping of service availability at the census block  
12                   level; and

13                   (B) provide a baseline assessment of state-  
14                   wide broadband deployment in terms of house-  
15                   holds with high-speed availability.

16           (f) PARTICIPATION LIMIT.—For each State, an eligi-  
17           ble entity may not receive a new grant under this section  
18           to fund the activities described in subsection (d) within  
19           such State if such organization obtained prior grant  
20           awards under this section to fund the same activities in  
21           that State in each of the previous 4 consecutive years.

22           (g) REPORT.—Each recipient of a grant under sub-  
23           section (b) shall submit a report on the use of the funds  
24           provided by the grant to the Secretary of Commerce.

25           (h) DEFINITIONS.—In this section:

1           (1) ELIGIBLE ENTITY.—The term “eligible enti-  
2           ty” means a non-profit organization that is selected  
3           by a State to work in partnership with State agen-  
4           cies and private sector partners in identifying and  
5           tracking the availability and adoption of broadband  
6           services within each State.

7           (2) NONPROFIT ORGANIZATION.—The term  
8           “nonprofit organization” means an organization—

9                   (A) described in section 501(c)(3) of the  
10                  Internal Revenue Code of 1986 and exempt  
11                  from tax under section 501(a) of such Code;

12                  (B) no part of the net earnings of which  
13                  inures to the benefit of any member, founder,  
14                  contributor, or individual;

15                  (C) that has an established competency  
16                  and proven record of working with public and  
17                  private sectors to accomplish widescale deploy-  
18                  ment and adoption of broadband services and  
19                  information technology; and

20                  (D) the board of directors of which is not  
21                  composed of a majority of individuals who are  
22                  also employed by, or otherwise associated with,  
23                  any Federal, State, or local government or any  
24                  Federal, State, or local agency.

1           (3) BROADBAND SERVICE.—The term  
2 “broadband service” means any service that con-  
3 nects to the public Internet that provides a data  
4 transmission-rate equivalent to at least 200 kilobits  
5 per second, or 200,000 bits per second, or any suc-  
6 cessor transmission-rate established by the Federal  
7 Communications Commission, in at least 1 direction.

8           (i) AUTHORIZATION OF APPROPRIATIONS.—There  
9 are authorized to be appropriated to carry out this section  
10 \$40,000,000 for each of fiscal years 2008 through 2012.

11          (j) NO REGULATORY AUTHORITY.—Nothing in this  
12 Act shall be construed as giving any public or private enti-  
13 ty established or affected by this Act any regulatory juris-  
14 diction or oversight authority over providers of broadband  
15 services or information technology.

○