

115TH CONGRESS
2D SESSION

H. R. 4876

To amend the Communications Act of 1934 to direct the Federal Communications Commission to conduct an annual inquiry on the availability of advanced telecommunications capability in broadband deserts, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 22, 2018

Mr. RUSH (for himself and Ms. CLARKE of New York) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Communications Act of 1934 to direct the Federal Communications Commission to conduct an annual inquiry on the availability of advanced telecommunications capability in broadband deserts, 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 “Connecting Broadband
5 Deserts Act of 2018”.

1 **SEC. 2. ANNUAL INQUIRY ON DEPLOYMENT OF ADVANCED**
2 **TELECOMMUNICATIONS CAPABILITY IN**
3 **BROADBAND DESERTS.**

4 Title I of the Communications Act of 1934 (47
5 U.S.C. 151 et seq.) is amended by adding at the end the
6 following:

7 **“SEC. 13. ANNUAL INQUIRY ON DEPLOYMENT OF AD-**
8 **VANCED TELECOMMUNICATIONS CAPABILITY**
9 **IN BROADBAND DESERTS.**

10 “(a) IN GENERAL.—The Commission shall, not later
11 than 1 year after the date of the enactment of this section,
12 and annually thereafter, initiate a notice of inquiry con-
13 cerning the availability of advanced telecommunications
14 capability in broadband deserts and shall complete the in-
15 quiry not later than 180 days after its initiation. In the
16 inquiry, the Commission shall determine whether ad-
17 vanced telecommunications capability is being deployed in
18 broadband deserts in a reasonable and timely fashion, in-
19 cluding the extent to which digital redlining is occurring.
20 If the Commission determines that advanced telecommuni-
21 cations capability is not being deployed in broadband
22 deserts in a reasonable and timely fashion, it shall take
23 immediate action to accelerate deployment of such capa-
24 bility in broadband deserts by removing barriers to infra-
25 structure investment and by promoting competition in the
26 telecommunications market.

1 “(b) DEFINITIONS.—In this section:

2 “(1) ADVANCED TELECOMMUNICATIONS CAPA-
3 BILITY.—The term ‘advanced telecommunications
4 capability’ has the meaning given such term in sec-
5 tion 706 of the Telecommunications Act of 1996 (47
6 U.S.C. 1302).

7 “(2) BROADBAND DESERT.—The term
8 ‘broadband desert’ means a census block—

9 “(A) that is located in an urban area; and

10 “(B) in which fewer than 33 percent of
11 end-user premises (as defined by the Commis-
12 sion for purposes of Form 477) do not have ac-
13 cess to advanced telecommunications capability.

14 “(3) DIGITAL REDLINING.—The term ‘digital
15 redlining’ means a practice whereby a provider of
16 advanced telecommunications capability excludes cer-
17 tain areas when expanding or upgrading service due
18 to income or other reasons.

19 “(4) URBAN AREA.—The term ‘urban area’
20 means an urbanized area or urban cluster area with
21 a population equal to or greater than 25,000, as de-
22 termined by the most recent rural-urban classifica-
23 tion by the Bureau of the Census.”.

○