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CONNECT OUR PARKS ACT

JANUARY 9, 2024.—Ordered to be printed

Mr. MANCHIN, from the Committee on Energy and Natural Resources, submitted the following

R E P O R T

[To accompany S. 2018]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2018) to require the Secretary of the Interior to conduct an assessment to identify locations in National Parks in which there is the greatest need for broadband internet access service and areas in National Parks in which there is the greatest need for cellular service, and for other purposes, having considered the same, reports favorably thereon with an amendment, in the nature of a substitute, and recommends that the bill, as amended, do pass.

AMENDMENT

1. Strike all after the enacting clause and insert the following:

SEC. 1. SHORT TITLE.

This Act may be cited as the “Connect Our Parks Act”.

SEC. 2. BROADBAND INTERNET ACCESS SERVICE AND CELLULAR SERVICE ASSESSMENT AND PLANNING IN NATIONAL PARKS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

- (A) the Committee on Energy and Natural Resources of the Senate;
- (B) the Committee on Commerce, Science, and Transportation of the Senate;
- (C) the Committee on Natural Resources of the House of Representatives; and
- (D) the Committee on Energy and Commerce of the House of Representatives.

(2) BROADBAND INTERNET ACCESS SERVICE.—The term “broadband internet access service” has the meaning given the term in section 8.1(b) of title 47, Code of Federal Regulations (or a successor regulation).

(3) CELLULAR SERVICE.—The term “cellular service” has the meaning given the term in section 22.99 of title 47, Code of Federal Regulations (or a successor regulation).

(4) NATIONAL PARK.—The term “National Park” means a unit of the National Park System.

(5) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

(b) ASSESSMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall complete an assessment of National Parks to identify—

(A) locations in National Parks in which there is the greatest need for broadband internet access service, based on the considerations described in paragraph (2)(A); and

(B) areas in National Parks in which there is the greatest need for cellular service, based on the considerations described in paragraph (2)(B).

(2) CONSIDERATIONS.—

(A) BROADBAND INTERNET ACCESS SERVICE.—For purposes of identifying locations in National Parks under paragraph (1)(A), the Secretary shall consider, with respect to each National Park, the availability of broadband internet access service in—

(i) housing;

(ii) administrative facilities and related structures;

(iii) lodging;

(iv) developed campgrounds; and

(v) any other location within the National Park in which broadband internet access service is determined to be necessary by the superintendent of the National Park.

(B) CELLULAR SERVICE.—For purposes of identifying areas in National Parks under paragraph (1)(B), the Secretary shall consider, with respect to each National Park, the availability of cellular service in any developed area within the National Park that would increase—

(i) the access of the public to emergency services and traveler information technologies; or

(ii) the communications capabilities of National Park Service employees.

(3) REPORT.—On completion of the assessment under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, and make available on the website of the Department of the Interior, a report describing the results of the assessment.

(c) PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall develop a plan, based on the results of the assessment completed under subsection (b) and subject to paragraph (4)—

(A) to install broadband internet access service infrastructure in certain locations in National Parks; and

(B) to install cellular service equipment and infrastructure in certain areas of National Parks.

(2) CONSULTATION.—In developing the plan under paragraph (1), the Secretary shall consult with—

(A) affected Indian Tribes; and

(B) local stakeholders that the superintendent of the applicable National Park determines to be appropriate.

(3) REQUIREMENTS.—The plan developed under paragraph (1) shall—

(A) provide for avoiding or minimizing impacts to—

(i) National Park viewsheds;

(ii) cultural and natural resources;

(iii) the visitor experience;

(iv) other resources or values of the National Park; and

(v) historic properties and the viewsheds of historic properties;

(B) provide for infrastructure providing broadband internet access service or cellular service to be located in—

(i) previously disturbed or developed areas; or

(ii) areas zoned for uses that would support the infrastructure;

(C) provide for the use of public-private partnerships—

(i) to install broadband internet access service or cellular service equipment; and

(ii) to provide broadband internet access service or cellular service;

(D) be technology neutral; and

(E) in the case of broadband internet access service, provide for broadband internet access service of at least—

- (i) a 100-Mbps downstream transmission capacity; and
- (ii) a 20-Mbps upstream transmission capacity.

(4) LIMITATION.—Notwithstanding paragraph (1), a plan developed under that paragraph shall not be required to address broadband internet access service or cellular service in any National Park with respect to which the superintendent of the National Park determines that there is adequate access to broadband internet access service or cellular service, as applicable.

PURPOSE

The purpose of S. 2018 is to require the Secretary of the Interior to conduct an assessment to identify locations in units of the National Park System in which there is the greatest need for broadband internet access service or cellular service.

BACKGROUND AND NEED

Many of America’s National Park System units are located in remote areas in the United States where telecommunications services can be sparse or even non-existent. With more than 300 million people visiting the National Park System every year, this can be a major public safety concern. In some cases, people in need of emergency assistance have no way to communicate that need. Increased access to cellular service can ensure that when an accident happens, the public will be able to contact emergency services. Increased access to cellular service will also benefit communications capabilities for park rangers, especially as many parks transition to advanced radio over internet protocol (RoIP) systems.

Additionally, the National Park Service has identified the lack of quality internet access as a barrier to hiring and retaining qualified personnel. Because many staff members reside within park boundaries, an increase in high-speed internet may reduce that barrier to entry.

To address these concerns, S. 2018 directs the Director of the National Park Service, within one year after the date of enactment, to complete an assessment of locations in units of the National Park System in which there is the greatest need for broadband internet access or cellular service.

LEGISLATIVE HISTORY

S. 2018 was introduced by Senators Barrasso, King, Lummis, Lee, and Hyde-Smith on June 15, 2023. The Subcommittee on National Parks held a hearing on S. 2018 on June 21, 2023.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in an open business session on September 21, 2023, by a voice vote of a quorum present, recommends that the Senate pass S. 2018, if amended as described herein.

COMMITTEE AMENDMENT

During its consideration of S. 2018, the committee adopted an amendment in the nature of a substitute, incorporating recommended edits from the National Park Service. The amendment clarifies the definition of a national park to mean a unit of the National Park System, and not just those areas designated as a “na-

tional park.” Second, it increases the timeframe to develop an assessment from 180 days to 1 year after the date of enactment, and it increases the timeframe to develop the plan from 2 years to 3 years after the date of enactment. Third, it includes a requirement that the National Park Service consult with affected Indian Tribes, in addition to local stakeholders, when developing the plan. Finally, the amendment requires that any infrastructure for service be located in previously developed areas.

The amendment is explained in detail in the section-by-section analysis, below.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 provides the short title of the bill, the “Connect Our Parks Act”.

Section 2. Broadband internet access service and cellular service assessment and planning in national parks

Subsection (a) defines key terms used in the bill.

Subsection (b) requires the Secretary of the Interior (Secretary), within one year after the date of enactment of this Act, to complete an assessment of units of the National Park System to identify locations in which there is the greatest need for broadband internet access service or cellular service based on certain considerations. It also requires the Secretary to complete a report describing the results of the assessment.

Subsection (c) directs the Secretary, not later than 3 years after the date of enactment, to develop a plan based on the results of the assessment to install broadband or cellular service. In developing the plan, the Secretary is required to consult with affected Indian Tribes and local stakeholders. The subsection identifies requirements for the plan, including avoiding or minimizing impacts to park viewsheds, cultural and natural resources, visitor experience, and other park resources and values.

COST AND BUDGETARY CONSIDERATIONS

The Committee has requested, but has not yet received, the Congressional Budget Office’s estimate of the cost of S. 2018 as ordered reported. When the Congressional Budget Office completes its cost estimate, it will be posted on the Internet at www.cbo.gov.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2018. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses. No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy. Little, if any, additional paperwork would result from the enactment of S. 2018, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 2018, as ordered reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in rule XLIV of the Standing Rules of the Senate.

EXECUTIVE COMMUNICATIONS

The testimony provided by the Department of the Interior at the June 21, 2023, hearing on S. 2018 follows:

STATEMENT OF MICHAEL A. CALDWELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR

Chairman King, Ranking Member Daines, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on S. 2018, a bill to require the Secretary of the Interior to conduct an assessment to identify locations in National Parks in which there is the greatest need for broadband internet access service and areas in National Parks in which there is the greatest need for cellular service, and for other purposes.

The Department supports the goal of S. 2018 to better understand and prioritize the broadband internet and cellular service needs of the National Park Service. However, because this bill was only recently introduced, the Department would appreciate having more time to evaluate the bill and work with the sponsor and Committee on amendments.

S. 2018 would direct the Secretary of the Interior, acting through the Director of the National Park Service (NPS), to conduct an assessment of national parks to determine where there is the greatest need for broadband internet access service and cellular service. For broadband internet access service, the assessment would consider availability in housing, administrative facilities, campgrounds, and locations where that service is determined to be necessary. For cellular service, the assessment would consider areas that would increase the access of the public to emergency services, or the communications capabilities of National Park Service employees.

S. 2018 would also direct the Secretary to develop a plan, based on the results of the assessment, to install broadband internet access and cellular service infrastructure in national parks. Requirements of the plan would include consultation with local stakeholders, provide for minimal disruptions to park resources, and provide for the use of public-private partnerships among other requirements.

More than 400 units of the National Park System stretch from Guam to the Virgin Islands and from Alaska to Florida across the United States. While some parks are located in or near developed areas, others are in or near remote wilderness. The diversity in landscapes means that

internet access and cell phone service vary in different parks—and can even be inconsistent within the boundaries of an individual park. Due to the remoteness of some parks, costs to provide internet and cellular service can be quite high, regardless of whether the agency or a provider takes on those costs.

The NPS provides free Wi-Fi internet service at some visitor centers and other facilities around the country. In addition, many concession operations in parks, such as lodges and restaurants, provide some form of internet for visitors, either for free or for an additional charge.

The NPS is acting in support of Executive Order 13821, *Streamlining and Expediting Requests to Locate Broadband Facilities in Rural America*, and the Presidential Memorandum, *Supporting Broadband Tower Facilities in Rural America on Federal Properties Managed by the Department of the Interior*. The NPS has created a Right-of-Way (ROW) webpage to provide more information for individuals and companies interested in applying for ROW permits from the bureau, including to provide internet and cellular service. It holds a bi-annual internal training on ROW permitting process for headquarters, region, and park staff. The NPS has a national ROW permitting team and a ROW coordinator in each region to support parks in processing ROW permit applications.

All bureaus of the Department coordinate to maintain a web-based mapping application that allows users to see locations of existing federal broadband infrastructure, filter data, and add layers for analysis.

While the Department believes the assessment and plan required under this bill could be useful in focusing the NPS's efforts on its greatest internet and cellular service needs, we recommend amending S. 2018 in a few areas.

First, as defined in S. 2018, the term “National Park” means a unit of the National Park System that is designated as a “national park”. While we understand that the focus of this bill is increasing internet and cellular access in the more expansive and remote parks, there are many units designated as “national recreation area”, “national preserve”, or similar titles that have the same access issues that many of our large remote units designated as “national parks” have. To conduct the assessment and prepare the plan proposed by this legislation fairly, we believe that all units should be included. To achieve this, we recommend amending the bill's definition of “National Park” to include all units of the National Park System.

Second, we are concerned that the bill's timeframes of 180 days and two years would not be sufficient to complete the assessment and plan, respectively, with existing resources. We recommend that the bill be amended to extend these timeframes.

Third, the bill requires consultation with parks' local stakeholders in developing the plan. We recommend that Tribes be explicitly included as consulting parties on the plan as well.

Finally, we have a number of suggested technical edits and, as mentioned previously, we may have additional recommendations upon further evaluation of S. 2018. The Department welcomes the opportunity to work with the bill's sponsor and the Committee on these amendments before the Committee acts on the bill.

Chairman King, this concludes my statement. I would be pleased to answer any questions you or other members of the Subcommittee may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by S. 2018 as ordered reported.

