

116TH CONGRESS
2D SESSION

S. 1611

AN ACT

To ensure appropriate prioritization, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Developing Innovation
3 and Growing the Internet of Things Act” or the “DIGIT
4 Act”.

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

6 (a) FINDINGS.—Congress finds that—

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

9 (2) estimates indicate that more than
10 125,000,000,000 devices will be connected to the
11 internet by 2030;

12 (3) the Internet of Things has the potential to
13 generate trillions of dollars in new economic activity
14 around the world in the transportation, energy, agri-
15 culture, manufacturing, and health care sectors and
16 in other sectors that are critical to the growth of the
17 gross domestic product of the United States;

18 (4) businesses across the United States can de-
19 velop new services and products, improve the effi-
20 ciency of operations and logistics, cut costs, improve
21 worker and public safety, and pass savings on to
22 consumers by utilizing the Internet of Things and
23 related innovations;

24 (5) the Internet of Things will—

25 (A) be vital in furthering innovation and
26 the development of emerging technologies; and

1 (B) play a key role in developing artificial
2 intelligence and advanced computing capabili-
3 ties;

4 (6) the United States leads the world in the de-
5 velopment of technologies that support the internet,
6 the United States technology sector is well-posi-
7 tioned to lead in the development of technologies for
8 the Internet of Things, and the appropriate
9 prioritization of a national strategy with respect to
10 the Internet of Things would strengthen that posi-
11 tion;

12 (7) the Federal Government can implement this
13 technology to better deliver services to the public;
14 and

15 (8) the Senate unanimously passed Senate Res-
16 olution 110, 114th Congress, agreed to March 24,
17 2015, calling for a national strategy for the develop-
18 ment of the Internet of Things.

19 (b) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that policies governing the Internet of Things
21 should—

22 (1) promote solutions with respect to the Inter-
23 net of Things that are secure, scalable, interoper-
24 able, industry-driven, and standards-based; and

1 (2) maximize the development and deployment
2 of the Internet of Things to benefit all stakeholders,
3 including businesses, governments, and consumers.

4 **SEC. 3. DEFINITIONS.**

5 In this Act:

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

8 (2) SECRETARY.—The term “Secretary” means
9 the Secretary of Commerce.

10 (3) STEERING COMMITTEE.—The term “steer-
11 ing committee” means the steering committee estab-
12 lished under section 4(e)(1).

13 (4) WORKING GROUP.—The term “working
14 group” means the working group convened under
15 section 4(a).

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

17 (a) IN GENERAL.—The Secretary shall convene a
18 working group of Federal stakeholders for the purpose of
19 providing recommendations and a report to Congress re-
20 lating to the aspects of the Internet of Things described
21 in subsection (b).

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

23 (1) identify any Federal regulations, statutes,
24 grant practices, budgetary or jurisdictional chal-
25 lenges, and other sector-specific policies that are in-

1 hibiting, or could inhibit, the development or deploy-
2 ment of the Internet of Things;

3 (2) consider policies or programs that encour-
4 age and improve coordination among Federal agen-
5 cies that have responsibilities that are relevant to
6 the objectives of this Act;

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

10 (4) examine—

11 (A) how Federal agencies can benefit from
12 utilizing the Internet of Things;

13 (B) the use of Internet of Things tech-
14 nology by Federal agencies as of the date on
15 which the working group performs the examina-
16 tion;

17 (C) the preparedness and ability of Federal
18 agencies to adopt Internet of Things technology
19 as of the date on which the working group per-
20 forms the examination and in the future; and

21 (D) any additional security measures that
22 Federal agencies may need to take to—

23 (i) safely and securely use the Inter-
24 net of Things, including measures that en-

1 sure the security of critical infrastructure;
2 and
3 (ii) enhance the resiliency of Federal
4 systems against cyber threats to the Inter-
5 net of Things; and

6 (5) in carrying out the examinations required
7 under clauses (i) and (ii) of paragraph (4)(D), en-
8 sure to the maximum extent possible the coordina-
9 tion of the current and future activities of the Fed-
10 eral Government relating to security with respect to
11 the Internet of Things.

12 (c) AGENCY REPRESENTATIVES.—In convening the
13 working group under subsection (a), the Secretary shall
14 have discretion to appoint representatives from Federal
15 agencies and departments as appropriate and shall specifi-
16 cally consider seeking representation from—

- 17 (1) the Department of Commerce, including—
18 (A) the National Telecommunications and
19 Information Administration;
20 (B) the National Institute of Standards
21 and Technology; and
22 (C) the National Oceanic and Atmospheric
23 Administration;
24 (2) the Department of Transportation;
25 (3) the Department of Homeland Security;

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

9 (d) NONGOVERNMENTAL STAKEHOLDERS.—The
10 working group shall consult with nongovernmental stake-
11 holders with expertise relating to the Internet of Things,
12 including—

- 13 (1) the steering committee;
- 14 (2) information and communications technology
- 15 manufacturers, suppliers, service providers, and ven-
- 16 dors;
- 17 (3) subject matter experts representing indus-
- 18 trial sectors other than the technology sector that
- 19 can benefit from the Internet of Things, including
- 20 the transportation, energy, agriculture, and health
- 21 care sectors;
- 22 (4) small, medium, and large businesses;
- 23 (5) think tanks and academia;
- 24 (6) nonprofit organizations and consumer
- 25 groups;

1 (7) security experts;

2 (8) rural stakeholders; and

3 (9) other stakeholders with relevant expertise,
4 as determined by the Secretary.

5 (e) STEERING COMMITTEE.—

6 (1) ESTABLISHMENT.—There is established
7 within the Department of Commerce a steering com-
8 mittee to advise the working group.

9 (2) DUTIES.—The steering committee shall ad-
10 vise the working group with respect to—

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

17 (B) situations in which the use of the
18 Internet of Things is likely to deliver significant
19 and scalable economic and societal benefits to
20 the United States, including benefits from or
21 to—

22 (i) smart traffic and transit tech-
23 nologies;

24 (ii) augmented logistics and supply
25 chains;

- 1 (iii) sustainable infrastructure;
- 2 (iv) precision agriculture;
- 3 (v) environmental monitoring;
- 4 (vi) public safety; and
- 5 (vii) health care;

6 (C) whether adequate spectrum is available
7 to support the growing Internet of Things and
8 what legal or regulatory barriers may exist to
9 providing any spectrum needed in the future;

10 (D) policies, programs, or multi-stake-
11 holder activities that—

12 (i) promote or are related to the pri-
13 vacy of individuals who use or are affected
14 by the Internet of Things;

15 (ii) may enhance the security of the
16 Internet of Things, including the security
17 of critical infrastructure;

18 (iii) may protect users of the Internet
19 of Things; and

20 (iv) may encourage coordination
21 among Federal agencies with jurisdiction
22 over the Internet of Things;

23 (E) the opportunities and challenges asso-
24 ciated with the use of Internet of Things tech-
25 nology by small businesses; and

1 (F) any international proceeding, inter-
2 national negotiation, or other international mat-
3 ter affecting the Internet of Things to which
4 the United States is or should be a party.

5 (3) MEMBERSHIP.—The Secretary shall appoint
6 to the steering committee members representing a
7 wide range of stakeholders outside of the Federal
8 Government with expertise relating to the Internet
9 of Things, including—

10 (A) information and communications tech-
11 nology manufacturers, suppliers, service pro-
12 viders, and vendors;

13 (B) subject matter experts representing in-
14 dustrial sectors other than the technology sector
15 that can benefit from the Internet of Things,
16 including the transportation, energy, agri-
17 culture, and health care sectors;

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

19 (D) think tanks and academia;

20 (E) nonprofit organizations and consumer
21 groups;

22 (F) security experts;

23 (G) rural stakeholders; and

24 (H) other stakeholders with relevant exper-
25 tise, as determined by the Secretary.

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

6 (5) INDEPENDENT ADVICE.—

7 (A) IN GENERAL.—The steering committee
8 shall set the agenda of the steering committee
9 in carrying out the duties of the steering com-
10 mittee under paragraph (2).

11 (B) SUGGESTIONS.—The working group
12 may suggest topics or items for the steering
13 committee to study, and the steering committee
14 shall take those suggestions into consideration
15 in carrying out the duties of the steering com-
16 mittee.

17 (C) REPORT.—The steering committee
18 shall ensure that the report submitted under
19 paragraph (4) is the result of the independent
20 judgment of the steering committee.

21 (6) NO COMPENSATION FOR MEMBERS.—A
22 member of the steering committee shall serve with-
23 out compensation.

1 (7) TERMINATION.—The steering committee
2 shall terminate on the date on which the working
3 group submits the report under subsection (f).

4 (f) REPORT TO CONGRESS.—

5 (1) IN GENERAL.—Not later than 18 months
6 after the date of enactment of this Act, the working
7 group shall submit to Congress a report that in-
8 cludes—

9 (A) the findings and recommendations of
10 the working group with respect to the duties of
11 the working group under subsection (b);

12 (B) the report submitted by the steering
13 committee under subsection (e)(4), as the re-
14 port was received by the working group;

15 (C) recommendations for action or reasons
16 for inaction, as applicable, with respect to each
17 recommendation made by the steering com-
18 mittee in the report submitted under subsection
19 (e)(4); and

20 (D) an accounting of any progress made
21 by Federal agencies to implement recommenda-
22 tions made by the working group or the steer-
23 ing committee.

1 (2) COPY OF REPORT.—The working group
2 shall submit a copy of the report described in para-
3 graph (1) to—

4 (A) the Committee on Commerce, Science,
5 and Transportation and the Committee on En-
6 ergy and Natural Resources of the Senate;

7 (B) the Committee on Energy and Com-
8 merce of the House of Representatives; and

9 (C) any other committee of Congress, upon
10 request to the working group.

11 **SEC. 5. ASSESSING SPECTRUM NEEDS.**

12 (a) IN GENERAL.—The Commission, in consultation
13 with the National Telecommunications and Information
14 Administration, shall issue a notice of inquiry seeking pub-
15 lic comment on the current, as of the date of enactment
16 of this Act, and future spectrum needs to enable better
17 connectivity relating to the Internet of Things.

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

21 (1) whether adequate spectrum is available, or
22 is planned for allocation, for commercial wireless
23 services that could support the growing Internet of
24 Things;

1 (2) if adequate spectrum is not available for the
2 purposes described in paragraph (1), how to ensure
3 that adequate spectrum is available for increased de-
4 mand with respect to the Internet of Things;

5 (3) what regulatory barriers may exist to pro-
6 viding any needed spectrum that would support uses
7 relating to the Internet of Things; and

8 (4) what the role of unlicensed and licensed
9 spectrum is and will be in the growth of the Internet
10 of Things.

11 (c) REPORT.—Not later than 1 year after the date
12 of enactment of this Act, the Commission shall submit to
13 the Committee on Commerce, Science, and Transportation
14 of the Senate and the Committee on Energy and Com-
15 merce of the House of Representatives a report summa-
16 rizing the comments submitted in response to the notice
17 of inquiry issued under subsection (a).

Passed the Senate January 8, 2020.

Attest:

Secretary.

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