

115TH CONGRESS
2D SESSION

S. 3393

To establish the Council on Rural Community Innovation and Economic
Development.

IN THE SENATE OF THE UNITED STATES

AUGUST 28, 2018

Ms. CORTEZ MASTO (for herself and Mr. PORTMAN) introduced the following
bill; which was read twice and referred to the Committee on Agriculture,
Nutrition, and Forestry

A BILL

To establish the Council on Rural Community Innovation
and Economic Development.

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 “Council on Rural Com-
5 munity Innovation and Economic Development Act of
6 2018”.

7 **SEC. 2. FINDINGS.**

8 Congress makes the following findings:

9 (1) Sixteen percent of the population of the
10 United States lives in rural counties.

1 (2) Strong, sustainable rural communities are
2 essential to future prosperity and ensuring United
3 States competitiveness in the years ahead.

4 (3) Rural communities supply the food, fiber,
5 and energy of the United States, safeguard the nat-
6 ural resources of the United States, and are essen-
7 tial to the development of science and innovation.

8 (4) Though rural communities face numerous
9 challenges, they also present enormous economic po-
10 tential.

11 (5) The Federal Government has an important
12 role to play in expanding access to the capital nec-
13 essary for economic growth, promoting innovation,
14 increasing energy resiliency and reliability, improv-
15 ing access to health care and education, and expand-
16 ing outdoor recreational activities on public land.

17 **SEC. 3. PURPOSE.**

18 The purpose of this Act is to enhance the efforts of
19 the Federal Government to address the needs of rural
20 areas in the United States by—

21 (1) establishing a council to better coordinate
22 Federal programs directed to rural communities;

23 (2) maximizing the impact of Federal invest-
24 ment to promote economic prosperity and quality of
25 life in rural communities in the United States; and

1 (3) using innovation to resolve local and re-
2 gional challenges faced by rural communities.

3 **SEC. 4. DEFINITIONS.**

4 In this Act:

5 (1) COUNCIL.—The term “Council” means the
6 Council on Rural Community Innovation and Eco-
7 nomic Development established by section 5.

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

10 **SEC. 5. ESTABLISHMENT.**

11 There is established a Council on Rural Community
12 Innovation and Economic Development.

13 **SEC. 6. MEMBERSHIP.**

14 (a) IN GENERAL.—The membership of the Council
15 shall be composed of the heads of the following executive
16 branch departments, agencies, and offices:

17 (1) The Department of Agriculture.

18 (2) The Department of the Treasury.

19 (3) The Department of Defense.

20 (4) The Department of Justice.

21 (5) The Department of the Interior.

22 (6) The Department of Commerce.

23 (7) The Department of Labor.

24 (8) The Department of Health and Human
25 Services.

- 1 (9) The Department of Housing and Urban De-
2 velopment.
- 3 (10) The Department of Transportation.
- 4 (11) The Department of Energy.
- 5 (12) The Department of Education.
- 6 (13) The Department of Veterans Affairs.
- 7 (14) The Department of Homeland Security.
- 8 (15) The Environmental Protection Agency.
- 9 (16) The Federal Communications Commission.
- 10 (17) The Office of Management and Budget.
- 11 (18) The Office of Science and Technology Pol-
12 icy.
- 13 (19) The Office of National Drug Control Pol-
14 icy.
- 15 (20) The Council of Economic Advisers.
- 16 (21) The Domestic Policy Council.
- 17 (22) The National Economic Council.
- 18 (23) The Small Business Administration.
- 19 (24) The Council on Environmental Quality.
- 20 (25) The White House Office of Public Engage-
21 ment.
- 22 (26) The White House Office of Cabinet Af-
23 fairs.

1 (27) Such other executive branch departments,
2 agencies, and offices as the President or the Sec-
3 retary may, from time to time, designate.

4 (b) CHAIR.—The Secretary shall serve as the Chair
5 of the Council.

6 (c) DESIGNEES.—A member of the Council may des-
7 ignate, to perform the Council functions of the member,
8 a senior-level official who is—

9 (1) part of the department, agency, or office of
10 the member; and

11 (2) a full-time officer or employee of the Fed-
12 eral Government.

13 (d) ADMINISTRATION.—The Council shall coordinate
14 policy development through the rural development mission
15 area.

16 **SEC. 7. FUNDING.**

17 The Secretary shall provide funding and administra-
18 tive support for the Council to the extent permitted by
19 law and within existing appropriations.

20 **SEC. 8. MISSION AND FUNCTION OF THE COUNCIL.**

21 The Council shall work across executive departments,
22 agencies, and offices to coordinate development of policy
23 recommendations—

24 (1) to maximize the impact of Federal invest-
25 ment of rural communities;

- 1 (2) to promote economic prosperity and quality
2 of life in rural communities; and
- 3 (3) to use innovation to resolve local and re-
4 gional challenges faced by rural communities.

5 **SEC. 9. DUTIES.**

6 The Council shall—

- 7 (1) make recommendations to the President,
8 acting through the Director of the Domestic Policy
9 Council and the Director of the National Economic
10 Council, on streamlining and leveraging Federal in-
11 vestments in rural areas, where appropriate, to in-
12 crease the impact of Federal dollars and create eco-
13 nomic opportunities to improve the quality of life in
14 rural areas in the United States;
- 15 (2) coordinate and increase the effectiveness of
16 Federal engagement with rural stakeholders, includ-
17 ing agricultural organizations, small businesses, edu-
18 cation and training institutions, health care pro-
19 viders, telecommunications services providers, elec-
20 tric service providers, transportation providers, re-
21 search and land grant institutions, law enforcement,
22 State, local, and tribal governments, and nongovern-
23 mental organizations regarding the needs of rural
24 areas in the United States;

1 (3) coordinate Federal efforts directed toward
2 the growth and development of rural geographic re-
3 gions that encompass both metropolitan and non-
4 metropolitan areas;

5 (4) identify and facilitate rural economic oppor-
6 tunities associated with energy development, outdoor
7 recreation, and other conservation related activities;
8 and

9 (5) identify common economic and social chal-
10 lenges faced by rural communities that could be
11 served through—

12 (A) better coordination of existing Federal
13 and non-Federal resources; and

14 (B) innovative solutions utilizing govern-
15 mental and nongovernmental resources.

16 **SEC. 10. EXECUTIVE DEPARTMENTS AND AGENCIES.**

17 (a) IN GENERAL.—The heads of executive depart-
18 ments and agencies shall assist and provide information
19 to the Council, consistent with applicable law, as may be
20 necessary to carry out the functions of the Council.

21 (b) EXPENSES.—Each executive department or agen-
22 cy shall be responsible for paying any expenses of the exec-
23 utive department or agency for participating in the Coun-
24 cil.

1 **SEC. 11. REPORT ON RURAL SMART COMMUNITIES.**

2 (a) IN GENERAL.—Not later than 1 year after the
3 establishment of the Council, the Council shall submit to
4 Congress a report describing efforts of rural areas to inte-
5 grate “smart” technology into their communities to solve
6 challenges relating to energy, transportation, health care,
7 law enforcement, housing, or other relevant local issues,
8 as determined by the Secretary.

9 (b) SMART RURAL COMMUNITIES.—The report under
10 subsection (a) shall include a description of efforts of rural
11 communities to apply innovative and advanced tech-
12 nologies and related mechanisms (such as telecommuni-
13 cations, energy, transportation, housing, economic devel-
14 opment)—

15 (1) to improve the health and quality of life of
16 residents;

17 (2) to increase the efficiency and cost-effective-
18 ness of civic operations and services, including public
19 safety and other vital public functions;

20 (3) to promote economic growth;

21 (4) to enhance the use of electricity in the com-
22 munity and reduce pollution; and

23 (5) to create a more sustainable and resilient
24 community.

25 (c) OTHER INCLUSIONS.—The report under sub-
26 section (a) shall include—

1 (1) an analysis of efforts to integrate “smart”
 2 technology into rural communities across the United
 3 States;

4 (2) an analysis of barriers and challenges faced
 5 by rural areas in integrating “smart” technology
 6 into their communities;

7 (3) an analysis of Federal efforts to assist rural
 8 areas with the development and integration of
 9 “smart” technology into rural communities;

10 (4) recommendations, if any, on how to improve
 11 coordination and deployment of Federal efforts to
 12 assist rural areas develop and integrate “smart”
 13 technology into their communities;

14 (5) recommendations, if any, on how rural
 15 areas developing “smart” communities can better le-
 16 verage private sector resources; and

17 (6) guidelines that establish best practices for
 18 rural areas that desire to use “smart” technology to
 19 overcome local challenges.

20 **SEC. 12. REVIEW OF PUBLIC BENEFIT TO RURAL COMMU-**
 21 **NITIES ON THE CREATION OF RURAL SMART**
 22 **COMMUNITY DEMONSTRATION PROJECTS.**

23 (a) IN GENERAL.—On completion of the report under
 24 section 11(a), the Council shall review the benefits of the
 25 creation of a rural smart community demonstration

1 projects program for the purposes of coordinating Depart-
2 ment of Agriculture rural development, housing, energy,
3 and telecommunication programs, and other Federal pro-
4 grams specific to rural communities, to expand innovative
5 technologies and address local challenges specific to rural
6 communities.

7 (b) INCLUSIONS.—In the review under subsection (a)
8 the Council shall determine whether a rural smart commu-
9 nity demonstration projects program would—

10 (1) demonstrate smart community technologies
11 that can be adapted and repeated by other rural
12 communities;

13 (2) encourage public, private, local, or regional
14 best practices that can be replicated by other rural
15 communities;

16 (3) encourage private sector innovation and in-
17 vestment in rural communities;

18 (4) promote a skilled workforce; and

19 (5) promote standards that allow for the meas-
20 urement and validation of the cost savings and per-
21 formance improvements associated with the installa-
22 tion and use of smart community technologies and
23 practices.

1 **SEC. 13. RURAL SMART COMMUNITY RESOURCE GUIDE.**

2 (a) IN GENERAL.—The Council shall create, publish,
3 and maintain a resource guide designed to assist States
4 and other rural communities in developing and imple-
5 menting rural smart community programs.

6 (b) INCLUSIONS.—A resource guide under subsection
7 (a) may include—

8 (1) a compilation of existing related Federal
9 and non-Federal programs available to rural commu-
10 nities, including technical assistance, education,
11 training, research and development, analysis, and
12 funding;

13 (2) available examples of local rural commu-
14 nities engaging private sector entities to implement
15 smart community solutions, including public-private
16 partnership models that could be used to leverage
17 private sector funding to solve similar local chal-
18 lenges;

19 (3) available examples of proven methods for
20 local rural communities to facilitate integration of
21 smart technologies with new and existing infrastruc-
22 ture and systems;

23 (4) best practices and lessons learned from
24 demonstration projects, including return on invest-
25 ment and performance information to help other

1 rural communities decide how to initiate integration
2 of smart technologies; and

3 (5) such other topics as are requested by indus-
4 try entities or local governments or determined to be
5 necessary by the Council.

6 (c) UTILIZATION OF EXISTING GUIDES.—In cre-
7 ating, publishing, and maintaining the guide under sub-
8 section (a), the Council shall consider Federal, State, and
9 local guides already published relating to smart commu-
10 nity goals, activities, and best practices—

11 (1) to prevent duplication of efforts by the Fed-
12 eral Government; and

13 (2) to leverage existing complementary efforts.

14 (d) RESOURCE GUIDE OUTREACH.—The Council
15 shall conduct outreach to States, counties, communities,
16 and other relevant entities—

17 (1) to provide interested stakeholders with the
18 guide published under subsection (a);

19 (2) to promote the consideration of smart com-
20 munity technologies and encourage States and local
21 governments to contribute rural smart community
22 program and activity information to the guide pub-
23 lished under subsection (a);

24 (3) to identify—

1 (A) barriers to rural smart community
2 technology adoption; and

3 (B) any research, development, and assist-
4 ance that is needed that could be included in
5 the guide published under subsection (a);

6 (4) to respond to requests for assistance, ad-
7 vice, or consultation from rural communities; and

8 (5) for other purposes, as identified by the
9 Council.

10 (e) SUBSEQUENT RESOURCE GUIDES.—The Council
11 shall issue an update to the guide published under sub-
12 section (a) every 5 years.

13 **SEC. 14. RURAL BROADBAND INTEGRATION WORKING**
14 **GROUP.**

15 (a) FINDINGS.—Congress makes the following find-
16 ings:

17 (1) Access to high-speed broadband is no longer
18 a luxury and is important for United States families,
19 businesses, and consumers.

20 (2) Affordable, reliable access to high-speed
21 broadband is critical to United States economic
22 growth and competitiveness.

23 (3) High-speed broadband enables the people of
24 the United States to use the Internet in new ways,
25 expands access to health services and education, in-

1 creases the productivity of businesses, and drives in-
2 novation throughout the digital ecosystem.

3 (4) The private sector and Federal, State, and
4 local governments have made substantial invest-
5 ments to expand broadband access in the United
6 States, but more must be done to improve the avail-
7 ability and quality of high-speed broadband, particu-
8 larly in areas lacking competitive choices.

9 (5) Today, more than 50,000,000 people of the
10 United States cannot purchase a wired broadband
11 connection at speeds for adequate broadband service,
12 and only 29 percent of people of the United States
13 can choose from more than 1 service provider at
14 that speed.

15 (6) As a result of the statistics described in
16 paragraph (5), the costs, benefits, and availability of
17 high-speed broadband Internet are not evenly dis-
18 tributed, with considerable variation among States
19 and between urban and rural areas.

20 (7) The Federal Government has an important
21 role to play in developing coordinated policies to pro-
22 mote broadband deployment and adoption, including
23 promoting best practices, breaking down regulatory
24 barriers, and encouraging further investment, which
25 will help deliver higher quality, lower cost broadband

1 to more families, businesses, and communities and
2 allow communities to benefit fully from those invest-
3 ments.

4 (b) POLICY.—

5 (1) IN GENERAL.—It is the policy of the Fed-
6 eral Government for executive departments and
7 agencies having statutory authorities applicable to
8 broadband deployment (referred to in this section as
9 the “agencies”) to use all available and appropriate
10 authorities—

11 (A) to identify and address regulatory bar-
12 riers that may unduly impede either wired
13 broadband deployment or the infrastructure to
14 augment wireless broadband deployment;

15 (B) to encourage further investment in
16 broadband networks and services;

17 (C) to promote the adoption and meaning-
18 ful use of broadband technology; and

19 (D) to otherwise encourage or support
20 broadband deployment, competition, and adop-
21 tion in ways that promote the public interest.

22 (2) PRIORITIES.—In carrying out the policy
23 under paragraph (1), the agencies shall focus on—

24 (A) opportunities to promote broadband
25 adoption and competition through incentives to

1 new entrants in the market for broadband serv-
2 ices;

3 (B) modernizing regulations;

4 (C) accurately measuring real-time broad-
5 band availability and speeds;

6 (D) increasing broadband access for under-
7 served communities, including in rural areas;

8 (E) exploring opportunities to reduce costs
9 for potential low-income users; and

10 (F) other possible measures, including sup-
11 porting State, local, and Tribal governments in-
12 terested in encouraging or investing in high-
13 speed broadband networks.

14 (3) EFFECT.—In carrying out the policy under
15 paragraph (1), the agencies shall ensure that exist-
16 ing and planned Federal, State, local, and Tribal
17 government missions and capabilities for delivering
18 services to the public, including those missions and
19 capabilities relating to national security, public safe-
20 ty, and emergency response, are maintained.

21 (4) COORDINATION.—The agencies shall coordi-
22 nate the policy under paragraph (1) through the
23 Rural Broadband Integration Working Group estab-
24 lished under subsection (c).

1 (c) ESTABLISHMENT OF RURAL BROADBAND INTE-
2 GRATION WORKING GROUP.—

3 (1) IN GENERAL.—There is established the
4 Rural Broadband Integration Working Group (re-
5 ferred to in this section as the “Working Group”).

6 (2) MEMBERSHIP.—The membership of the
7 Working Group shall be composed of the heads, or
8 their designees, of—

9 (A) the Department of Agriculture;

10 (B) the Department of Commerce;

11 (C) the Department of Defense;

12 (D) the Department of State;

13 (E) the Department of the Interior;

14 (F) the Department of Labor;

15 (G) the Department of Health and Human
16 Services;

17 (H) the Department of Homeland Secu-
18 rity;

19 (I) the Department of Housing and Urban
20 Development;

21 (J) the Department of Justice;

22 (K) the Department of Transportation;

23 (L) the Department of the Treasury;

24 (M) the Department of Energy;

25 (N) the Department of Education;

1 (O) the Department of Veterans Affairs;
 2 (P) the Environmental Protection Agency;
 3 (Q) the General Services Administration;
 4 (R) the Small Business Administration;
 5 (S) the Institute of Museum and Library
 6 Services;
 7 (T) the National Science Foundation;
 8 (U) the Council on Environmental Quality;
 9 (V) the Office of Science and Technology
 10 Policy;
 11 (W) the Office of Management and Budget;
 12 et;
 13 (X) the Council of Economic Advisers;
 14 (Y) the Domestic Policy Council;
 15 (Z) the National Economic Council; and
 16 (AA) such other Federal agencies or enti-
 17 ties as are determined appropriate in accord-
 18 ance with paragraph (5).

19 (3) CO-CHAIRS.—The Secretary and the Sec-
 20 retary of Commerce shall serve as the Co-Chairs of
 21 the Working Group.

22 (4) CONSULTATION; COORDINATION.—

23 (A) CONSULTATION.—The Working Group
 24 shall consult, as appropriate, with other rel-

evant agencies, including the Federal Communications Commission.

(B) COORDINATION.—The Working Group shall coordinate with existing Federal working groups and committees involved with broadband.

(5) MEMBERSHIP CHANGES.—

(A) IN GENERAL.—The Director of the National Economic Council and the Director of the Office of Science and Technology Policy shall review, on a periodic basis, the membership of the Working Group to ensure that the Working Group—

(i) includes necessary Federal Government entities; and

(ii) is an effective mechanism for coordinating among agencies on the policy described in subsection (b).

(B) CHANGES.—The Director of the National Economic Council and the Director of the Office of Science and Technology Policy may add or remove members of the Council, as appropriate, based on the review under subparagraph (A).

(d) FUNCTIONS OF THE WORKING GROUP.—

1 (1) CONSULTATION.—As permitted by law, the
2 members of the Working Group shall consult with
3 State, local, Tribal, and territorial governments, tele-
4 communications companies, utilities, trade associa-
5 tions, philanthropic entities, policy experts, and
6 other interested parties to identify and assess regu-
7 latory barriers described in subsections (a)(7) and
8 (b)(1)(A) and opportunities described in subpara-
9 graphs (A) and (E) of subsection (b)(2) to deter-
10 mine possible actions relating to those barriers and
11 opportunities.

12 (2) POINT OF CONTACT.—Not later than 15
13 days after the date of enactment of this Act, each
14 member of the Working Group shall—

15 (A) designate a representative to serve as
16 the main point of contact for matters relating
17 to the Working Group; and

18 (B) notify the Co-Chairs of the Working
19 Group of that designee.

20 (3) SURVEY.—Not later than 60 days after the
21 date of enactment of this Act, the members of the
22 Working Group shall submit to the Working Group
23 a comprehensive survey of—

24 (A) Federal programs, including the allo-
25 cated funding amounts, that currently support

1 or could reasonably be modified to support
2 broadband deployment and adoption; and

3 (B) all agency-specific policies and rules
4 with the direct or indirect effect of facilitating
5 or regulating investment in or deployment of
6 wired and wireless broadband networks.

7 (4) LIST OF ACTIONS.—Not later than 120
8 days after the date of enactment of this Act, the
9 members of the Working Group shall submit to the
10 Working Group an initial list of actions that each of
11 the agencies could take to identify and address regu-
12 latory barriers, incentivize investment, promote best
13 practices, align funding decisions, and otherwise
14 support wired broadband deployment and adoption.

15 (5) REPORT.—

16 (A) IN GENERAL.—Not later than 150
17 days after the date of enactment of this Act,
18 after not fewer than 2 meetings of the full
19 Working Group, the Working Group shall sub-
20 mit to the President, acting through the Direc-
21 tor of the National Economic Council, a coordi-
22 nated, agreed-to, and prioritized list of rec-
23 ommendations of the Working Group on actions
24 that agencies can take to support broadband
25 deployment and adoption.

1 (B) INCLUSIONS.—The recommendations
2 under subparagraph (A) shall include—

3 (i) a list of priority actions and rule-
4 makings; and

5 (ii) timelines to complete the priority
6 actions and rulemakings under clause (i).

7 **SEC. 15. GENERAL PROVISIONS.**

8 (a) EFFECT.—Nothing in this Act—

9 (1) impairs or otherwise affects—

10 (A) the authority granted by law to a de-
11 partment or agency, or the head thereof;

12 (B) the functions of the Director of the Of-
13 fice of Management and Budget relating to
14 budgetary, administrative, or legislative pro-
15 posals; or

16 (C) the authority of the Federal Commu-
17 nications Commission concerning spectrum allo-
18 cation decisions;

19 (2) requires the disclosure of classified informa-
20 tion, law enforcement sensitive information, or other
21 information that shall be protected in the interests
22 of national security; or

23 (3) creates any right or benefit, substantive or
24 procedural, enforceable at law or in equity by any
25 party against the United States, any Federal depart-

1 ment, agency, or entity, any officer, employee, or
2 agent, of the United States, or any other person.

3 (b) IMPLEMENTATION.—This Act shall be imple-
4 mented consistent with applicable law and subject to the
5 availability of appropriations.

