



AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.**S. 2607**

To ensure appropriate spectrum planning and interagency coordination to support the Internet of Things.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mrs. FISCHER (for herself, Ms. AYOTTE, Mr. BOOKER, and Mr. SCHATZ)

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

3 **SECTION 1. SHORT TITLE.**

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

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

8 (a) FINDINGS.—Congress finds that—

9 (1) the “Internet of Things” refers to the grow-
10 ing number of connected and interconnected devices;

1 (2) estimates indicate that more than
2 50,000,000,000 devices will be connected to the
3 Internet by the year 2020;

4 (3) the Internet of Things has the potential to
5 generate trillions of dollars in new economic activity
6 around the world;

7 (4) businesses across the country can develop
8 new services and products, improve operations, sim-
9 plify logistics, cut costs, and pass savings on to con-
10 sumers by utilizing the Internet of Things and re-
11 lated innovations;

12 (5) the United States leads the world in the de-
13 velopment of technologies that support the Internet,
14 and the United States technology sector is well-posi-
15 tioned to lead in the development of technologies for
16 the Internet of Things;

17 (6) the United States Government can imple-
18 ment this technology to better deliver services to the
19 public; and

20 (7) the United States Senate unanimously
21 passed Senate Resolution 110, 114th Congress,
22 agreed to March 24, 2015, calling for a national
23 strategy for the development of the Internet of
24 Things.

1 (b) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that policies governing the Internet of Things should
3 maximize the potential and development of the Internet
4 of Things to benefit all stakeholders, including businesses,
5 governments, and consumers.

6 **SEC. 3. DEFINITIONS.**

7 In this Act:

8 (1) APPROPRIATE COMMITTEES OF CON-
9 GRESS.—The term “appropriate committees of Con-
10 gress” means—

11 (A) the Committee on Commerce, Science,
12 and Transportation of the Senate; and

13 (B) the Committee on Energy and Com-
14 merce of the House of Representatives.

15 (2) COMMISSION.—The term “Commission”
16 means the Federal Communications Commission.

17 (3) SECRETARY.—The term “Secretary” means
18 the Secretary of Commerce.

19 (4) STEERING COMMITTEE.—The term “steer-
20 ing committee” means the steering committee estab-
21 lished under section 4(e)(1).

22 (5) WORKING GROUP.—The term “working
23 group” means the working group convened under
24 section 4(a).

1 **SEC. 4. FEDERAL WORKING GROUP.**

2 (a) IN GENERAL.—The Secretary shall convene a
3 working group of Federal stakeholders for the purpose of
4 providing recommendations and a report to Congress re-
5 lated to the aspects of the Internet of Things described
6 in subsection (b).

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

8 (1) identify any Federal regulations, statutes,
9 grant practices, budgetary or jurisdictional chal-
10 lenges, and other sector-specific policies that are in-
11 hibiting or could inhibit the development of the
12 Internet of Things;

13 (2) consider policies or programs that encour-
14 age and improve coordination among Federal agen-
15 cies with jurisdiction over the Internet of Things;

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

19 (4) examine—

20 (A) how Federal agencies can benefit from
21 utilizing the Internet of Things;

22 (B) the current use of Internet of Things
23 technology by Federal agencies; and

24 (C) the preparedness and ability of Federal
25 agencies to adopt Internet of Things technology
26 in the future.

1 (c) AGENCY REPRESENTATIVES.—In convening the
2 working group under subsection (a), the Secretary shall
3 have discretion to appoint representatives and shall spe-
4 cifically consider seeking representation from—

5 (1) the Department of Commerce, including—

6 (A) the National Telecommunications and
7 Information Administration;

8 (B) the National Institute of Standards
9 and Technology; and

10 (C) the National Oceanic and Atmospheric
11 Administration;

12 (2) the Department of Transportation;

13 (3) the National Science Foundation;

14 (4) the Federal Communications Commission;

15 (5) the Federal Trade Commission; and

16 (6) the Office of Science and Technology Policy.

17 (d) NONGOVERNMENTAL STAKEHOLDERS.—The
18 working group shall consult with nongovernmental stake-
19 holders, including—

20 (1) the steering committee;

21 (2) information and communications technology
22 manufacturers, suppliers, service providers, and ven-
23 dors;

24 (3) subject matter experts representing indus-
25 trial sectors other than the technology sector that

1 can benefit from the Internet of Things, including
2 the agriculture and health care sectors;

3 (4) small, medium, and large businesses;

4 (5) think tanks and academia;

5 (6) nonprofits and consumer groups;

6 (7) rural stakeholders; and

7 (8) other stakeholders with relevant expertise,

8 as determined by the Secretary.

9 (e) STEERING COMMITTEE.—

10 (1) ESTABLISHMENT.—There is established
11 within the Department of Commerce a steering com-
12 mittee to advise the working group.

13 (2) DUTIES.—The steering committee shall ad-
14 vise the working group with regard to—

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

21 (B) whether adequate spectrum is available
22 to support the growing Internet of Things and
23 what legal or regulatory barriers may exist to
24 providing any spectrum needed in the future;

1 (C) policies or programs that promote or
2 are related to the privacy of individuals who use
3 or are affected by the Internet of Things;

4 (D) policies or programs that may enhance
5 the security of the Internet of Things;

6 (E) policies or programs that may protect
7 users of the Internet of Things;

8 (F) policies or programs that may encour-
9 age coordination among Federal agencies with
10 jurisdiction over the Internet of Things; and

11 (G) any international proceeding, inter-
12 national negotiation, or other international mat-
13 ter affecting the Internet of Things to which
14 the United States is or should be a party.

15 (3) MEMBERSHIP.—The Secretary shall appoint
16 to the steering committee members representing a
17 wide range of stakeholders outside the Federal Gov-
18 ernment with expertise relating to the Internet of
19 Things, including—

20 (A) information and communications tech-
21 nology manufacturers, suppliers, service pro-
22 viders, and vendors;

23 (B) subject matter experts representing in-
24 dustrial sectors other than the technology sector
25 that can benefit from the Internet of Things,

1 including the agriculture and health care sec-
2 tors;

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

4 (D) think tanks and academia;

5 (E) nonprofits and consumer groups;

6 (F) rural stakeholders; and

7 (G) other stakeholders with relevant exper-
8 tise, as determined by the Secretary.

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

14 (5) INDEPENDENT ADVICE.—

15 (A) IN GENERAL.—The steering committee
16 shall set its own agenda in carrying out its du-
17 ties under paragraph (2).

18 (B) SUGGESTIONS.—The working group
19 may suggest topics or items for the steering
20 committee to study, and the steering committee
21 shall take such suggestions into consideration in
22 carrying out its duties.

23 (C) REPORT.—The steering committee
24 shall ensure that the report submitted under

1 paragraph (4) is the result of the independent
2 judgment of the steering committee.

3 (6) TERMINATION.—The steering committee
4 shall terminate on the date on which the working
5 group submits the report under subsection (f) un-
6 less, on or before that date, the Secretary files a new
7 charter for the steering committee in accordance
8 with section 9(c) of the Federal Advisory Committee
9 Act (5 U.S.C. App.).

10 (f) REPORT TO CONGRESS.—Not later than 18
11 months after the date of enactment of this Act, the work-
12 ing group shall submit to the appropriate committees of
13 Congress a report that includes—

14 (1) the findings and recommendations of the
15 working group with respect to the duties of the
16 working group under subsection (b);

17 (2) the report submitted by the steering com-
18 mittee under subsection (e)(4), as the report was re-
19 ceived by the working group;

20 (3) recommendations for action or reasons for
21 inaction, as applicable, on each recommendation
22 made by the steering committee in the report sub-
23 mitted under subsection (e)(4); and

24 (4) an accounting of any progress made by
25 Federal agencies to implement recommendations

1 made by the working group or the steering com-
2 mittee.

3 **SEC. 5. ASSESSING SPECTRUM NEEDS.**

4 (a) **IN GENERAL.**—The Commission, in consultation
5 with the National Telecommunications and Information
6 Administration, shall issue a notice of inquiry seeking pub-
7 lic comment on the current and future spectrum needs of
8 the Internet of Things.

9 (b) **REQUIREMENTS.**—In issuing the notice of inquiry
10 under subsection (a), the Commission shall seek comments
11 that consider and evaluate—

12 (1) whether adequate spectrum is available to
13 support the growing Internet of Things;

14 (2) what regulatory barriers may exist to pro-
15 viding any needed spectrum for the Internet of
16 Things; and

17 (3) what the role of licensed and unlicensed
18 spectrum is and will be in the growth of the Internet
19 of Things.

20 (c) **REPORT.**—Not later than 1 year after the date
21 of enactment of this Act, the Commission shall submit to
22 the appropriate committees of Congress a report summa-
23 rizing the comments submitted in response to the notice
24 of inquiry issued under subsection (a).