

117TH CONGRESS
1ST SESSION

S. _____

To establish a reserve fund for the proceeds of the C-band auction conducted by the Federal Communications Commission.

IN THE SENATE OF THE UNITED STATES

Mr. WICKER (for himself and Mrs. BLACKBURN) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To establish a reserve fund for the proceeds of the C-band auction conducted by the Federal Communications Commission.

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 “Broadband Reserve
5 Fund Act of 2021”.

6 **SEC. 2. BROADBAND AND CONNECTIVITY RESERVE FUND.**

7 (a) DEFINITIONS.—In this section—

1 (1) the term “Assistant Secretary” means the
2 Assistant Secretary of Commerce for Communica-
3 tions and Information; and

4 (2) the term “Commission” means the Federal
5 Communications Commission.

6 (b) ESTABLISHMENT OF RESERVE FUND.—

7 (1) IN GENERAL.—There is established in the
8 Treasury of the United States a fund to be known
9 as the “Broadband Reserve Fund” (referred to in
10 this section as the “Fund”).

11 (2) AVAILABILITY.—

12 (A) IN GENERAL.—Amounts deposited in
13 the Fund shall remain available through fiscal
14 year 2030.

15 (B) USE FOR DEFICIT REDUCTION.—Any
16 amounts remaining in the Fund after the end
17 of fiscal year 2030 shall be deposited in the
18 general fund of the Treasury for the sole pur-
19 pose of deficit reduction.

20 (c) USE OF FUND.—

21 (1) IN GENERAL.—Subject to paragraph (2)—

22 (A) amounts in the Fund shall be available
23 for use by the Commission; and

24 (B) the Commission—

1 (i) shall reserve not less than 20 per-
2 cent of the amounts in the Fund for use
3 by the Assistant Secretary; and

4 (ii) shall transfer the amounts re-
5 served under clause (i) to the Assistant
6 Secretary upon request.

7 (2) LIMITATION.—The Commission and the As-
8 sistant Secretary may not access or use amounts in
9 the Fund for any purpose unless specifically author-
10 ized by an Act of Congress enacted after the date
11 of enactment of this Act.

12 (3) SENSE OF CONGRESS REGARDING PERMIS-
13 SIBLE USES OF FUND.—It is the sense of Congress
14 that Congress should enact further legislation speci-
15 fying the purposes for which amounts in the Fund
16 may be used, which may include—

17 (A) broadband deployment to unserved
18 areas;

19 (B) distance and remote learning;

20 (C) digital equity and expanding
21 broadband access in minority communities and
22 on Tribal land;

23 (D) securing the telecommunications sup-
24 ply chain;

25 (E) promoting spectrum efficiency;

1 (F) investment in public safety commu-
2 nications infrastructure;

3 (G) precision agriculture technologies; and

4 (H) telehealth technologies.

5 (d) INVESTMENT.—Amounts in the Fund shall be in-
6 vested in accordance with section 9702 of title 31, United
7 States Code, and any interest on, and proceeds from, any
8 such investment shall be credited to, and become a part
9 of, the Fund.

10 (e) DEPOSIT OF C-BAND SPECTRUM AUCTION PRO-
11 CEEDS IN FUND.—Section 309(j)(8) of the Communica-
12 tions Act of 1934 (47 U.S.C. 309(j)(8)) is amended—

13 (1) in subparagraph (A), by striking “and (G)”
14 and inserting “(G), and (H)”;

15 (2) in subparagraph (C)(i), by striking “and
16 (G)” and inserting “(G), and (H)”;

17 (3) by adding at the end the following:

18 “(H) C-BAND AUCTION PROCEEDS.—Not-
19 withstanding subparagraph (A), and except as
20 provided in subparagraph (B), of the proceeds
21 (including deposits and upfront payments from
22 successful bidders) from the use of a system of
23 competitive bidding under this subsection to
24 award licenses in the band of frequencies be-
25 tween 3700 megahertz and 3980 megahertz

1 (designated by the Commission as ‘Auction
2 107’), \$65,000,000,000 shall be deposited in
3 the Broadband Reserve Fund established under
4 section 3 of the Broadband Reserve Fund Act
5 of 2021.’.