

ONE HUNDRED FIFTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
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MEMORANDUM

June 25, 2018

To: Subcommittee on Communications and Technology Democratic Members and Staff
Fr: Committee on Energy and Commerce Democratic Staff
Re: Hearing on “Discussion Draft: National Telecommunications and Information Administration Reauthorization Act of 2018”

On **Tuesday, June 26, 2018, at 1:15 p.m. in room 2322 of the Rayburn House Office Building**, the Subcommittee on Communications and Technology will hold a hearing titled “Discussion Draft: National Telecommunications and Information Administration Reauthorization Act of 2018.”

I. BACKGROUND

The National Telecommunications and Information Administration (NTIA) is an executive branch agency within the Department of Commerce. It is responsible for advising the President on telecommunications, information, and internet policy issues. In addition, NTIA performs other key functions:

- **Spectrum Management**: NTIA manages the Federal government’s use of spectrum, and coordinates with the Federal Communications Commission (FCC) regarding shared spectrum use between Federal and nonfederal entities. NTIA also represents the U.S. at international spectrum standard-setting and policy forums in coordination with the Department of State, FCC and other federal agencies.
- **Broadband Interagency Working Group (BIWG)**: Along with the Department of Agriculture, NTIA is a co-chair of the BIWG. The BIWG was created in 2017 to continue the work of the Broadband Opportunity Council. More than 25 Federal agencies participate in the BIWG, which reviews how Federal agencies, industry, and others can remove barriers to broadband adoption and deployment.
- **Broadband Technology Opportunity Program (BTOP)**: As part of the American Recovery and Reinvestment Act of 2009 (ARRA) the NTIA was charged with administering the \$4 billion BTOP grant program. As of the last update report, NTIA had assisted in the completion of 233 BTOP projects, with five projects in active status.

- State Broadband Initiative (SBI) Program: The SBI program provides grants to state entities to support the use of broadband technology to compete in the digital economy, as well as to help states collect data to support the National Broadband Map. NTIA has awarded \$293 million since 2009, to entities in all 50 states and each territory.
- BroadbandUSA: NTIA created BroadbandUSA to provide technical assistance to communities seeking to expand broadband capacity and increase broadband adoption.
- Internet Policy: NTIA develops policy related to the Internet economy, including online privacy, cybersecurity and the global free flow of information. Recent activity has focused on a report on promoting stakeholder action against botnets.
- FirstNet: The First Responder Network Authority (FirstNet) is an independent authority within NTIA responsible for building, deploying, and operating the nationwide interoperable broadband network for first responders using \$7 billion in proceeds raised through prior spectrum auctions.
- Public Safety Programs: NTIA and NIST sponsor the Public Safety Communications Research program, which conducts research and testing to further develop public safety interoperability. NTIA also oversees the Public Safety Interoperable Communications grant program, awarding over \$1 billion nationwide to fund projects to help first responders communicate during disasters. NTIA, along with the National Highway Traffic Safety Administration, will distribute, when available, the \$115 million in NG911 funding awarded in the Middle Class Tax Relief and Job Creation Act of 2012. Finally, NTIA will administer the \$135 million State and Local Implementation Grant Program.
- Multi-Stakeholder Processes: NTIA also provides for discussion and consensus-building among stakeholders on topics such as cybersecurity, privacy, the internet of things, and unmanned aerial vehicles, among others.

II. NTIA ORGANIZATION AND BUDGET

NTIA is led by the Honorable David Redl, Assistant Secretary of Commerce for Communications and Information, who was confirmed by the Senate on November 11, 2017. The Assistant Secretary is responsible for managing a staff of approximately 160 full-time employees across 11 offices to support agency activities.

NTIA's annualized CR budget for Fiscal Year 2018 was \$31.8 million. On June 12, 2018, the Appropriations Committee reported its FY2019 Commerce-Justice-Science spending bill, which allocates \$39 billion for NTIA for FY2019, matching NTIA's enacted figure for FY2018.

III. LEGISLATION

The Committee majority circulated a discussion draft bill reauthorizing NTIA at the time this hearing was announced. A summary of the draft is provided below.

A. Title I—NTIA Reauthorization

Title I of the discussion draft raises the statutory authorization to \$50.8 million for FY2019 through FY2021.

Title I also directs NTIA, in consultation with the FCC, to carry out its obligation under the American Recovery and Reinvestment Act of 2009, to develop and maintain a comprehensive nationwide inventory map that depicts the existing broadband service capability available from commercial or public providers throughout each state.

The draft also instructs the Government Accountability Office (GAO) to issue a report to Congress on the availability of advanced location sharing technologies for improving the efficiency and effectiveness of 9-1-1 emergency communications systems. That report must include information to augment NTIA's work to assist public safety answering points in the impending transition to Next Generation 9-1-1.

Finally, Title I of the discussion draft includes provisions expressing the sense of Congress (1) that NTIA should coordinate forward-looking Federal efforts in responding to cyber threats and supply chain vulnerabilities to communications networks, and (2) that NTIA should ensure the multi-stakeholder model for internet governance preserves the viability of both the internet domain name system and the WHOIS service, a publicly-available means of accessing contact information on web site owners.

B. Title II—ACCESS BROADBAND Act

Title II of the discussion draft includes the text of Rep. Tonko's (D-NY) bill, H.R. 3994, the ACCESS BROADBAND Act, as amended by the Subcommittee on June 13, 2018.

This title instructs the Department of Commerce to establish a new office within NTIA. The Office of Internet Connectivity and Growth would be required to: (1) connect with communities in need of high-speed internet and improved digital inclusion efforts; (2) hold regional workshops to share best practices for promoting broadband access; (3) develop targeted broadband training and presentations for various demographic communities through media; (4) publish and distribute guidance for expanding broadband access and adoption; and (5) track deployment and use of any federally-supported broadband infrastructure in a central database.

This title also requires the Office of Internet Connectivity and Growth to annually report a description of its work, the number of U.S. residents who received broadband as a result of Federal programs and the Universal Service program, and an estimate of its economic impact on local economies. The Office must consult with any agency that offers a Federal broadband program and, to the greatest extent practicable, streamline application processes by creating a universal application for all Federal broadband programs. Finally, the Office must coordinate broadband support programs across the government and the Universal Service Fund at the FCC.

IV. WITNESSES

Mr. Michael D. Gallagher

CEO

Entertainment Software Association

Ms. Joanne Hovis

President

CTC Technology and Energy

Mr. John Kneuer

President

JKC Consulting