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(Original Signature of Member)

115TH CONGRESS  
1ST SESSION

**H. R.**

To promote Internet access in developing countries and update foreign policy toward the Internet, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. ROYCE of California (for himself and [see ATTACHED LIST of cosponsors]) introduced the following bill; which was referred to the Committee on

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**A BILL**

To promote Internet access in developing countries and update foreign policy toward the Internet, and for other purposes.

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 “Digital Global Access  
5 Policy Act of 2017” or the “Digital GAP Act”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to—

1           (1) encourage the efforts of developing coun-  
2           tries to improve mobile and fixed access to the Inter-  
3           net in order to catalyze innovation, spur economic  
4           growth and job creation, improve health, education,  
5           and financial services, reduce poverty and gender in-  
6           equality, mitigate disasters, promote democracy and  
7           good governance, and strengthen cybersecurity;

8           (2) promote build once policies and approaches  
9           and the multi-stakeholder approach to Internet gov-  
10          ernance; and

11          (3) ensure the effective use of United States  
12          foreign assistance resources toward this end.

13 **SEC. 3. FINDINGS.**

14          Congress finds the following:

15           (1) The number of Internet users worldwide  
16           has more than tripled from 1 billion to 3.2 billion  
17           since 2005, yet the growth rate of Internet access is  
18           slowing: an estimated 4.2 billion people, or 60 per-  
19           cent of the world's population, remain offline, an es-  
20           timated 75 percent of the offline population lives in  
21           just 20 countries, and rural, female, elderly, illit-  
22           erate, and low-income populations are being left be-  
23           hind.

24           (2) Studies suggest that women across the de-  
25           veloping world are disproportionately affected by a

1 digital gap, and that bringing an additional 600 mil-  
2 lion women online would contribute \$13 billion to  
3 \$18 billion to annual GDP across 144 developing  
4 countries.

5 (3) Internet access in developing countries is  
6 most often hampered by a lack of infrastructure and  
7 a poor regulatory environment for investment.

8 (4) Build-once policies and approaches, which  
9 seek to coordinate public and private sector invest-  
10 ments in roads and other critical infrastructure, can  
11 minimize the number and scale of excavation and  
12 construction activities when installing telecommuni-  
13 cations infrastructure in rights-of-way, thereby re-  
14 ducing installation costs for high-speed Internet net-  
15 works and serving as a development best practice.

16 **SEC. 4. STATEMENT OF POLICY.**

17 Congress declares that it is the policy of the United  
18 States to consult, partner, and coordinate with the govern-  
19 ments of foreign countries, international organizations, re-  
20 gional economic communities, businesses, civil society, and  
21 other stakeholders in a concerted effort to close the digital  
22 gap by promoting—

23 (1) first-time Internet access to mobile or  
24 broadband Internet for at least 1.5 billion people in

1 developing countries by 2020 in both urban and  
2 rural areas;

3 (2) Internet deployment and related coordina-  
4 tion, capacity building, and build-once policies and  
5 approaches in developing countries, including actions  
6 to encourage—

7 (A) standardization of build-once policies  
8 and approaches for the inclusion of broadband  
9 conduit in rights-of-way projects that are fund-  
10 ed, co-funded, or partially financed by the  
11 United States or any international organization  
12 that includes the United States as a member, in  
13 consultation with telecommunications providers,  
14 unless a cost-benefit analysis determines that  
15 the cost of such approach outweighs the bene-  
16 fits;

17 (B) adoption and integration of build once  
18 polices and approaches into the development  
19 and investment strategies of national and local  
20 government agencies of developing countries  
21 and donor governments and organizations that  
22 will enhance coordination with the private sec-  
23 tor for road building, pipe laying, and other  
24 major infrastructure projects; and

1 (C) provision of increased financial support  
2 by international organizations, including  
3 through grants, loans, and technical assistance,  
4 to expand information and communications ac-  
5 cess and Internet connectivity;

6 (3) policy changes that encourage first-time af-  
7 fordable access to the Internet in developing coun-  
8 tries, including actions to encourage—

9 (A) integration of universal and gender-eq-  
10 uitable Internet access goals, to be informed by  
11 the collection of related gender disaggregated  
12 data, and Internet tools into national develop-  
13 ment plans and United States Government  
14 country-level development strategies;

15 (B) reforms of competition laws and spec-  
16 trum allocation processes that may impede the  
17 ability of companies to provide Internet serv-  
18 ices; and

19 (C) efforts to improve procurement proc-  
20 esses to help attract and incentivize investment  
21 in Internet infrastructure;

22 (4) the removal of tax and regulatory barriers  
23 to Internet access;

24 (5) the use of the Internet to increase economic  
25 growth and trade, including—

1 (A) policies and strategies to remove re-  
2 strictions to e-commerce, cross-border informa-  
3 tion flows, and competitive marketplaces; and

4 (B) entrepreneurship and distance learning  
5 enabled by access to technology;

6 (6) use of the Internet to bolster democracy,  
7 government accountability, transparency, and human  
8 rights, including through the establishments of poli-  
9 cies, initiatives, and investments that—

10 (A) support the development of national  
11 Internet plans that are consistent with United  
12 States human rights goals, including freedom of  
13 expression, religion, assembly, and association;

14 (B) expand online access to government in-  
15 formation and services to enhance government  
16 accountability and service delivery, including for  
17 areas in which government may have limited  
18 presence;

19 (C) advance the principles of responsible  
20 Internet governance, including commitments to  
21 maintain open and equitable access; and

22 (D) support programs, research, and tech-  
23 nologies that safeguard human rights and fun-  
24 damental freedoms online, and enable political  
25 organizing and activism, free speech, and reli-

1           gious expression that are in compliance with  
2           international human rights standards;

3           (7) Internet access and inclusion into Internet  
4           policymaking for women, people with disabilities, mi-  
5           norities, low-income and marginalized groups, and  
6           underserved populations;

7           (8) cybersecurity and data protection, including  
8           international use of the National Institute of Stand-  
9           ards and Technology (NIST) Framework for Im-  
10          proving Critical Infrastructure Cybersecurity, that  
11          are industry-led and globally recognized cybersecu-  
12          rity standards and best practices; and

13          (9) inter-agency coordination and cooperation  
14          across all executive branch agencies regarding the  
15          construction and promotion of Internet initiatives as  
16          a greater part of United States foreign policy.

17 **SEC. 5. LEVERAGING INTERNATIONAL SUPPORT.**

18          In pursuing the policy described in section 4, the  
19          President should direct United States representatives to  
20          appropriate international bodies to use the influence of the  
21          United States, consistent with the broad development  
22          goals of the United States, to advocate that each such  
23          body—

24                 (1) commit to increase efforts and coordination  
25                 to promote affordable and gender-equitable Internet

1 access, in partnership with stakeholders and con-  
2 sistent with host countries' absorptive capacity;

3 (2) integrate affordable and gender-equitable  
4 Internet access data into existing economic and busi-  
5 ness assessments, evaluations, and indexes such as  
6 the Millennium Challenge Corporation constraints  
7 analysis, the Doing Business Report, International  
8 Monetary Fund Article IV assessments and country  
9 reports, the Open Data Barometer, and the Afford-  
10 ability Drivers Index;

11 (3) standardize inclusion of broadband conduit  
12 as part of highway or comparable construction  
13 projects in developing countries, in consultation with  
14 telecommunications providers, unless such inclusion  
15 would create an undue burden, is not necessary  
16 based on the availability of existing broadband infra-  
17 structure, or a cost-benefit analysis determines that  
18 the cost outweighs the benefits;

19 (4) provide technical assistance to the regu-  
20 latory authorities in developing countries to remove  
21 unnecessary barriers to investment in otherwise com-  
22 mercially viable projects and strengthen weak regu-  
23 lations or develop new regulations to support market  
24 growth and development;



1           (5) utilize clear, accountable, and metric-based  
2 targets, including targets with gender-disaggregated  
3 data, to measure the effectiveness of efforts to pro-  
4 mote Internet access; and

5           (6) promote and protect human rights online,  
6 such as the freedoms of expression, religion, assem-  
7 bly, and association, through resolutions, public  
8 statements, projects, and initiatives, and advocate  
9 that other member states of such bodies are held ac-  
10 countable when major violations are uncovered.

11 **SEC. 6. DEPARTMENT OF STATE ORGANIZATION.**

12       (a) SENSE OF CONGRESS.—It is the sense of Con-  
13 gress that the Secretary of State should seek to enhance  
14 the efficiency and effectiveness of United States foreign  
15 assistance efforts to carry out the policies and objectives  
16 established by this Act, including by re-designating an ex-  
17 isting Assistant Secretary position in the Department of  
18 State to be the Assistant Secretary for Cyberspace to lead  
19 the Department’s diplomatic cyberspace policy generally,  
20 including for cybersecurity, Internet access, Internet free-  
21 dom, and to promote an open, secure, and reliable infor-  
22 mation and communications technology infrastructure.

23       (b) ACTIVITIES.—In recognition of the added value  
24 of technical knowledge and expertise in the policymaking  
25 and diplomatic channels, the Secretary of State shall—

1           (1) update existing training programs relevant  
2           to policy discussions;

3           (2) promote the recruitment of candidates with  
4           technical expertise into the Civil Service and the  
5           Foreign Service; and

6           (3) work to improve inter-agency coordination  
7           and cooperation on cybersecurity and Internet initia-  
8           tives.

9           (c) OFFSET.—To offset any costs incurred by the De-  
10          partment of State to carry out the designation of an As-  
11          sistant Secretary for Cyberspace in accordance with sub-  
12          section (a), the Secretary of State shall eliminate such po-  
13          sitions within the Department of State, unless otherwise  
14          authorized or required by law, as the Secretary determines  
15          to be necessary to fully offset such costs.

16          (d) RULE OF CONSTRUCTION.—The redesignation of  
17          the Assistant Secretary position in the Department of  
18          State described in subsection (a) may not be construed  
19          as increasing the number of Assistant Secretary positions  
20          at the Department above the current level of 24 as author-  
21          ized in section 1(c)(1) of the State Department Basic Au-  
22          thorities Act of 1956 (22 U.S.C. 2651a(c)(1)).

1 **SEC. 7. USAID.**

2 It is the sense of Congress that the Administrator  
3 of the United States Agency for International Develop-  
4 ment should—

5 (1) integrate efforts to expand Internet access,  
6 develop appropriate technologies, and enhance digital  
7 literacy into the education, development, and eco-  
8 nomic growth programs of the agency, where appro-  
9 priate;

10 (2) expand the utilization of information and  
11 communications technologies in humanitarian aid  
12 and disaster relief responses and United States oper-  
13 ations involving stabilization and security to improve  
14 donor coordination, reduce duplication and waste,  
15 capture and share lessons learned, and augment dis-  
16 aster preparedness and risk mitigation strategies;  
17 and

18 (3) establish and promote guidelines for the  
19 protection of personal information of individuals  
20 served by humanitarian, disaster, and development  
21 programs implemented directly through the United  
22 States Government, through contracts funded by the  
23 United States Government, and by international or-  
24 ganizations.

1 **SEC. 8. PEACE CORPS.**

2 Section 3 of the Peace Corps Act (22 U.S.C. 2502)

3 is amended by—

4 (1) redesignating subsection (h) as subsection

5 (e); and

6 (2) by adding at the end the following new sub-

7 sections:

8 “(f) It is the sense of Congress that access to tech-  
9 nology can transform agriculture, community economic de-  
10 velopment, education, environment, health, and youth de-  
11 velopment which are the sectors in which Peace Corps cur-  
12 rently develops positions for Volunteers.

13 “(g) In giving attention to the programs, projects,  
14 training, and other activities referred to in subsection (f),  
15 the Peace Corps should develop positions for Volunteers  
16 that are focused on leveraging technology for development,  
17 education, and social and economic mobility.”.

18 **SEC. 9. PARTNERSHIP FRAMEWORK.**

19 Not later than 180 days after the date of the enact-  
20 ment of this Act, the President shall transmit to the Com-  
21 mittee on Foreign Affairs of the House of Representatives  
22 and the Committee on Foreign Relations of the Senate  
23 plans to promote partnerships by United States develop-  
24 ment agencies, including the United States Agency for  
25 International Development and the Millennium Challenge  
26 Corporation, and international agencies funded by the

1 United States Government with the private sector and  
2 other stakeholders to expand affordable and gender equi-  
3 table access to the Internet in developing countries, includ-  
4 ing the following elements:

5 (1) Methods for stakeholders to partner with  
6 such agencies in order to provide Internet access or  
7 Internet infrastructure in developing countries.

8 (2) Methods of outreach to stakeholders to ex-  
9 plore partnership opportunities for expanding Inter-  
10 net access or Internet infrastructure, including co-  
11 ordination with the private sector, when financing  
12 roads and telecommunications infrastructure.

13 (3) Methods for early consultation with stake-  
14 holders concerning projects in telecommunications  
15 and road construction to provide Internet access or  
16 Internet infrastructure.

17 **SEC. 10. REPORTING REQUIREMENT ON IMPLEMENTATION**  
18 **EFFORTS.**

19 Not later than 180 days after the date of the enact-  
20 ment of this Act, the President shall transmit to the Com-  
21 mittee on Foreign Affairs of the House of Representatives  
22 and the Committee on Foreign Relations of the Senate  
23 a report on efforts to implement the policies specified in  
24 this Act and a discussion of the plans and existing efforts

1 by the United States Government in developing countries  
2 to accomplish the following:

3 (1) Developing a technical and regulatory road  
4 map for promoting Internet access in developing  
5 countries and a path to implementing such road  
6 map.

7 (2) Identifying the regulatory barriers that may  
8 unduly impede Internet access, including regulation  
9 of wireline broadband deployment or the infrastruc-  
10 ture to augment wireless broadband deployment.

11 (3) Strengthening and supporting development  
12 of regulations that incentivize market growth and  
13 sector development.

14 (4) Encouraging further public and private in-  
15 vestment in Internet infrastructure, including  
16 broadband networks and services.

17 (5) Increasing gender-equitable Internet access  
18 and otherwise encourage or support Internet deploy-  
19 ment, competition, and adoption.

20 (6) Improving the affordability of Internet ac-  
21 cess.

22 (7) Promoting technology and cybersecurity ca-  
23 pacity building efforts and consult technical experts  
24 for advice regarding options to accelerate the ad-

1 vancement of Internet deployment, adoption, and  
2 usage.

3 (8) Promoting Internet freedom globally and in-  
4 clude civil society and the private sector in the for-  
5 mulation of policies, projects, and advocacy efforts  
6 to protect human rights online.

7 (9) Promoting and strengthening the multi-  
8 stakeholder model of Internet governance and ac-  
9 tively participate in multi-stakeholder international  
10 fora, such as the Internet Governance Forum.

11 (10) Advancing a strategy to promote—

12 (A) global cybersecurity policy consistent  
13 with the National Institute of Standards and  
14 Technology (NIST) Framework for Improving  
15 Critical Infrastructure Cybersecurity;

16 (B) global Internet freedom principles,  
17 such as the freedoms of expression, religion, as-  
18 sembly, and association, while combating efforts  
19 to impose restrictions on such freedoms; and

20 (C) improved inter-agency coordination  
21 and cooperation on cybersecurity and Internet  
22 initiatives.

23 **SEC. 11. DEFINITIONS.**

24 In this Act:

1           (1) BROADBAND.—The term “broadband”  
2 means an Internet Protocol-based transmission serv-  
3 ice that enables users to send and receive voice,  
4 video, data, graphics, or a combination thereof.

5           (2) BROADBAND CONDUIT.—The term  
6 “broadband conduit” means a conduit for fiber optic  
7 cables that support broadband or wireless facilities  
8 for broadband service.

9           (3) BUILD ONCE POLICIES AND APPROACHES.—  
10 The term “build once policies and approaches”  
11 means policies or practices that minimize the num-  
12 ber and scale of excavation and construction activi-  
13 ties when installing telecommunications infrastruc-  
14 ture in rights-of-way.

15           (4) CYBERSPACE.—The term “cyberspace”  
16 means the interdependent network of information  
17 technology infrastructures, and includes the Inter-  
18 net, telecommunications networks, computer sys-  
19 tems, and embedded processors and controllers in  
20 critical industries, and includes the virtual environ-  
21 ment of information and interactions between peo-  
22 ple.

23           (5) STAKEHOLDERS.—The term “stakeholders”  
24 means the private sector, the public sector, coopera-  
25 tives, civil society, the technical community that de-



1       velops Internet technologies, standards, implementa-  
2       tion, operations, and applications, and other groups  
3       that are working to increase Internet access or are  
4       impacted by the lack of Internet access in their com-  
5       munities.