

Calendar No. 194

117TH CONGRESS
1ST SESSION

S. 163

To address the workforce needs of the telecommunications industry.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 2, 2021

Mr. THUNE (for himself, Mr. TESTER, Mr. PETERS, Mr. WICKER, Mr. MORAN, and Mr. WARNOCK) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

DECEMBER 16, 2021

Reported by Ms. CANTWELL, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To address the workforce needs of the telecommunications industry.

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 “Telecommunications
5 Skilled Workforce Act”.

1 **SEC. 2. TELECOMMUNICATIONS INTERAGENCY WORKING**
 2 **GROUP.**

3 (a) IN GENERAL.—Part I of title III of the Commu-
 4 nications Act of 1934 (47 U.S.C. 301 et seq.) is amended
 5 by adding at the end the following:

6 **“SEC. 344. TELECOMMUNICATIONS INTERAGENCY WORK-**
 7 **ING GROUP.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) 5G.—The term ‘5G’, with respect to wire-
 10 less infrastructure and wireless technology, means
 11 fifth-generation wireless infrastructure and wireless
 12 technology.

13 “(2) RURAL AREA.—The term ‘rural area’
 14 means any area other than—

15 “(A) a city, town, or incorporated area
 16 that has a population of more than 20,000 in-
 17 habitants; or

18 “(B) an urbanized area adjacent to a city
 19 or town that has a population of more than
 20 50,000 inhabitants.

21 “(3) TELECOMMUNICATIONS INTERAGENCY
 22 WORKING GROUP.—The term ‘telecommunications
 23 interagency working group’ means the interagency
 24 working group established under subsection (b).

25 “(b) ESTABLISHMENT.—Not later than 60 days after
 26 the date of enactment of this section, the Chairman of

1 the Commission, in consultation with the Secretary of
2 Labor, shall establish within the Commission an inter-
3 agency working group to develop recommendations to ad-
4 dress the workforce needs of the telecommunications in-
5 dustry.

6 “(c) DUTIES.—In developing recommendations under
7 subsection (b), the telecommunications interagency work-
8 ing group shall—

9 “(1) determine whether, and if so how, any
10 Federal laws (including regulations), guidance, poli-
11 cies, or practices, or any budgetary constraints, in-
12 hibit institutions of higher education (as defined in
13 section 101 of the Higher Education Act of 1965
14 (20 U.S.C. 1001)) or for-profit businesses from es-
15 tablishing, adopting, or expanding programs in-
16 tended to address the workforce needs of the tele-
17 communications industry, including the workforce
18 needed to build and maintain the 5G wireless infra-
19 structure necessary to support 5G wireless tech-
20 nology;

21 “(2) identify potential policies and programs
22 that could encourage and improve coordination
23 among Federal agencies, between Federal agencies
24 and States, and among States, on telecommuni-
25 cations workforce needs;

1 “(3) identify ways in which existing Federal
2 programs, including programs that help facilitate the
3 employment of veterans and military personnel
4 transitioning into civilian life, could be leveraged to
5 help address the workforce needs of the tele-
6 communications industry;

7 “(4) identify ways to encourage individuals and
8 for-profit businesses to participate in qualified in-
9 dustry-led workforce development programs, includ-
10 ing the Telecommunications Industry Registered Ap-
11 prenticeship Program;

12 “(5) identify ways to improve recruitment in
13 qualified industry-led workforce development pro-
14 grams, including the Telecommunications Industry
15 Registered Apprenticeship Program and other indus-
16 try-recognized apprenticeship programs; and

17 “(6) identify Federal incentives that could be
18 provided to institutions of higher education, for-prof-
19 it businesses, State workforce development boards
20 established under section 101 of the Workforce In-
21 novation and Opportunity Act (29 U.S.C. 3111), or
22 other relevant stakeholders to establish or adopt pro-
23 grams, or expand current programs, to address the
24 workforce needs of the telecommunications industry,
25 including such needs in rural areas.

1 “(d) MEMBERS.—The telecommunications inter-
2 agency working group shall be composed of representatives
3 of such Federal agencies and relevant non-Federal indus-
4 try stakeholder organizations as the Chairman of the
5 Commission, in consultation with the Secretary of Labor,
6 considers appropriate, including—

7 “(1) a representative of the Department of
8 Education, appointed by the Secretary of Education;

9 “(2) a representative of the National Tele-
10 communications and Information Administration,
11 appointed by the Assistant Secretary of Commerce
12 for Communications and Information;

13 “(3) a representative of the Department of
14 Commerce, appointed by the Secretary of Commerce;

15 “(4) a representative of the Commission, ap-
16 pointed by the Chairman of the Commission;

17 “(5) a representative of the Telecommuni-
18 cations Industry Registered Apprenticeship Pro-
19 gram, appointed by the Secretary of Labor;

20 “(6) a representative of a telecommunications
21 industry association, appointed by the Chairman of
22 the Commission;

23 “(7) a representative of an Indian Tribe or
24 Tribal organization, appointed by the Secretary of
25 Labor;

1 “(8) a representative of a rural telecommuni-
 2 cations carrier, appointed by the Chairman of the
 3 Commission;

4 “(9) a representative of a telecommunications
 5 contractor firm, appointed by the Chairman of the
 6 Commission;

7 “(10) a representative of a minority institution
 8 (as defined in section 365 of the Higher Education
 9 Act of 1965 (20 U.S.C. 1067k)), appointed by the
 10 Secretary of Education; and

11 “(11) a representative of a labor organization,
 12 appointed by the Secretary of Labor.

13 “(e) NO COMPENSATION.—A member of the tele-
 14 communications interagency working group shall serve
 15 without compensation.

16 “(f) REPORT TO CONGRESS.—Not later than 180
 17 days after the date on which the telecommunications inter-
 18 agency working group is established, the working group
 19 shall submit a report containing recommendations to ad-
 20 dress the workforce needs of the telecommunications in-
 21 dustry to—

22 “(1) the Committee on Commerce, Science, and
 23 Transportation of the Senate;

24 “(2) the Committee on Health, Education,
 25 Labor, and Pensions of the Senate;

1 ~~“(3) the Committee on Energy and Commerce~~
 2 ~~of the House of Representatives; and~~

3 ~~“(4) the Committee on Education and Labor of~~
 4 ~~the House of Representatives.~~

5 ~~“(g) NONAPPLICABILITY OF FACA.—The Federal~~
 6 ~~Advisory Committee Act (5 U.S.C. App.) shall not apply~~
 7 ~~to the telecommunications interagency working group.”.~~

8 ~~(b) SUNSET.—Section 344 of the Communications~~
 9 ~~Act of 1934, as added by subsection (a), shall be repealed~~
 10 ~~on the day after the date on which the interagency work-~~
 11 ~~ing group established under subsection (b) of that section~~
 12 ~~submits the report to Congress under subsection (f) of~~
 13 ~~that section.~~

14 **SEC. 3. TELECOMMUNICATIONS WORKFORCE GUIDANCE.**

15 Not later than 270 days after the date of enactment
 16 of this Act, the Chairman of the Federal Communications
 17 Commission, in consultation with the Secretary of Labor,
 18 shall establish and issue guidance on how States can ad-
 19 dress the workforce needs of the telecommunications in-
 20 dustry, including guidance on how a State workforce de-
 21 velopment board established under section 101 of the
 22 Workforce Innovation and Opportunity Act (29 U.S.C.
 23 3111) can—

1 (1) utilize Federal resources available to States
2 to meet the workforce needs of the telecommuni-
3 cations industry; and

4 (2) promote and improve recruitment in quali-
5 fied industry-led workforce development programs,
6 including the Telecommunications Industry Reg-
7 istered Apprenticeship Program.

8 **SEC. 4. GAO ASSESSMENT OF WORKFORCE NEEDS OF THE**
9 **TELECOMMUNICATIONS INDUSTRY.**

10 (a) **DEFINITIONS.**—In this section:

11 (1) **5G.**—The term “5G”, with respect to wire-
12 less infrastructure and wireless technology, means
13 fifth-generation wireless infrastructure and wireless
14 technology.

15 (2) **APPROPRIATE CONGRESSIONAL COMMIT-**
16 **TEES.**—The term “appropriate congressional com-
17 mittees” means—

18 (A) the Committee on Commerce, Science,
19 and Transportation of the Senate;

20 (B) the Committee on Health, Education,
21 Labor, and Pensions of the Senate;

22 (C) the Committee on Energy and Com-
23 merce of the House of Representatives; and

24 (D) the Committee on Education and
25 Labor of the House of Representatives.

1 ~~(3)~~ **BROADBAND INFRASTRUCTURE.**—The term
 2 “broadband infrastructure” means any buried, un-
 3 derground, or aerial facility, and any wireless or
 4 wireline connection, that enables users to send and
 5 receive voice, video, data, graphics, or any combina-
 6 tion thereof.

7 ~~(b)~~ **REPORT.**—Not later than 180 days after the date
 8 of enactment of this Act, the Comptroller General of the
 9 United States shall submit to the appropriate congres-
 10 sional committees a report that estimates the number of
 11 skilled telecommunications workers that will be required
 12 to build and maintain—

13 ~~(1)~~ broadband infrastructure in rural areas;
 14 and

15 ~~(2)~~ the 5G wireless infrastructure needed to
 16 support 5G wireless technology.

17 **SECTION 1. SHORT TITLE.**

18 *This Act may be cited as the “Telecommunications*
 19 *Skilled Workforce Act”.*

20 **SEC. 2. TELECOMMUNICATIONS INTERAGENCY WORKING**
 21 **GROUP.**

22 ~~(a)~~ *IN GENERAL.*—Part I of title III of the Commu-
 23 nications Act of 1934 (47 U.S.C. 301 et seq.) is amended
 24 by adding at the end the following:

1 **“SEC. 344. TELECOMMUNICATIONS INTERAGENCY WORKING**
2 **GROUP.**

3 “(a) *DEFINITION.*—In this section, the term ‘tele-
4 communications interagency working group’ means the
5 interagency working group established under subsection
6 (b)(1).

7 “(b) *ESTABLISHMENT.*—

8 “(1) *IN GENERAL.*—Not later than 60 days after
9 the date of enactment of this section, the Chairman of
10 the Commission, in consultation with the Secretary of
11 Labor, shall establish within the Commission an
12 interagency working group to develop recommenda-
13 tions to address the workforce needs of the tele-
14 communications industry, including the safety of that
15 workforce.

16 “(2) *DATE OF ESTABLISHMENT.*—The tele-
17 communications interagency working group shall be
18 considered established on the date on which a major-
19 ity of the members of the telecommunications inter-
20 agency working group have been appointed, consistent
21 with subsection (d).

22 “(c) *DUTIES.*—In developing recommendations under
23 subsection (b), the telecommunications interagency working
24 group shall—

25 “(1) determine whether, and if so how, any Fed-
26 eral laws, regulations, guidance, policies, or practices,

1 *or any budgetary constraints, inhibit institutions of*
2 *higher education (as defined in section 101 of the*
3 *Higher Education Act of 1965 (20 U.S.C. 1001)) or*
4 *for-profit businesses from establishing, adopting, or*
5 *expanding programs intended to address the work-*
6 *force needs of the telecommunications industry, in-*
7 *cluding the workforce needed to build and maintain*
8 *the 5G wireless infrastructure necessary to support*
9 *5G wireless technology;*

10 *“(2) identify potential policies and programs*
11 *that could encourage and improve coordination*
12 *among Federal agencies, between Federal agencies*
13 *and States, and among States, on telecommunications*
14 *workforce needs;*

15 *“(3) identify ways in which existing Federal*
16 *programs, including programs that help facilitate the*
17 *employment of veterans and military personnel*
18 *transitioning into civilian life, could be leveraged to*
19 *help address the workforce needs of the telecommuni-*
20 *cations industry;*

21 *“(4) identify ways to encourage individuals and*
22 *for-profit businesses to participate in qualified indus-*
23 *try-led workforce development programs, including*
24 *the Telecommunications Industry Registered Appren-*
25 *ticeship Program;*

1 “(5) identify ways to improve recruitment in
 2 qualified industry-led workforce development pro-
 3 grams, including the Telecommunications Industry
 4 Registered Apprenticeship Program and other indus-
 5 try-recognized apprenticeship programs;

6 “(6) identify Federal incentives that could be
 7 provided to institutions of higher education, for-profit
 8 businesses, State workforce development boards estab-
 9 lished under section 101 of the Workforce Innovation
 10 and Opportunity Act (29 U.S.C. 3111), or other rel-
 11 evant stakeholders to establish or adopt new pro-
 12 grams, or expand current programs, to address the
 13 workforce needs of the telecommunications industry,
 14 including such needs in rural areas; and

15 “(7) identify ways to improve the safety of tele-
 16 communications workers, including tower climbers.

17 “(d) MEMBERS.—The telecommunications interagency
 18 working group shall be composed of the following represent-
 19 atives of Federal agencies and relevant non-Federal indus-
 20 try stakeholder organizations:

21 “(1) A representative of the Department of Edu-
 22 cation, appointed by the Secretary of Education.

23 “(2) A representative of the National Tele-
 24 communications and Information Administration,

1 *appointed by the Assistant Secretary of Commerce for*
2 *Communications and Information.*

3 “(3) *A representative of the Commission, ap-*
4 *pointed by the Chairman of the Commission.*

5 “(4) *A representative of the Telecommunications*
6 *Industry Registered Apprenticeship Program, ap-*
7 *pointed by the Secretary of Labor.*

8 “(5) *A representative of a telecommunications*
9 *industry association, appointed by the Chairman of*
10 *the Commission.*

11 “(6) *A representative of an Indian Tribe or*
12 *Tribal organization, appointed by the Chairman of*
13 *the Commission.*

14 “(7) *A representative of a rural telecommuni-*
15 *cations carrier, appointed by the Chairman of the*
16 *Commission.*

17 “(8) *A representative of a telecommunications*
18 *contractor firm, appointed by the Chairman of the*
19 *Commission.*

20 “(9) *A representative of a minority institution*
21 *(as defined in section 365 of the Higher Education*
22 *Act of 1965 (20 U.S.C. 1067k)), appointed by the Sec-*
23 *retary of Education.*

1 “(10) *A public interest advocate for tower climb-*
 2 *er safety, appointed by the Chairman of the Commis-*
 3 *sion.*

4 “(11) *A representative of the Directorate of Con-*
 5 *struction of the Occupational Safety and Health Ad-*
 6 *ministration, appointed by the Secretary of Labor.*

7 “(12) *A representative of a labor organization*
 8 *representing the telecommunications workforce, ap-*
 9 *pointed by the Chairman of the Commission.*

10 “(e) *NO COMPENSATION.—A member of the tele-*
 11 *communications interagency working group shall serve*
 12 *without compensation.*

13 “(f) *OTHER MATTERS.—*

14 “(1) *CHAIR AND VICE CHAIR.—The telecommuni-*
 15 *cations interagency working group shall name a chair*
 16 *and a vice chair, who shall be responsible for orga-*
 17 *nizing the business of the telecommunications inter-*
 18 *agency working group.*

19 “(2) *SUBGROUPS.—The chair and vice chair of*
 20 *the telecommunications interagency working group,*
 21 *in consultation with the other members of the tele-*
 22 *communications interagency working group, may es-*
 23 *tablish such subgroups as necessary to help conduct*
 24 *the work of the telecommunications interagency work-*
 25 *ing group.*

1 “(3) *SUPPORT.*—*The Commission or the Sec-*
 2 *retary of Labor may detail an employee of the Com-*
 3 *mission or the Department of Labor, respectively, to*
 4 *assist and support the work of the telecommunications*
 5 *interagency working group, though such a detailee*
 6 *shall not be considered to be a member of the tele-*
 7 *communications interagency working group.*

8 “(g) *REPORT.*—

9 “(1) *IN GENERAL.*—*Not later than 1 year after*
 10 *the date on which the telecommunications interagency*
 11 *working group is established, the telecommunications*
 12 *interagency working group shall submit a report con-*
 13 *taining its recommendations to address the workforce*
 14 *needs of the telecommunications industry to—*

15 “(A) *the Committee on Commerce, Science,*
 16 *and Transportation of the Senate;*

17 “(B) *the Committee on Health, Education,*
 18 *Labor, and Pensions of the Senate;*

19 “(C) *the Committee on Energy and Com-*
 20 *merce of the House of Representatives;*

21 “(D) *the Committee on Education and*
 22 *Labor of the House of Representatives;*

23 “(E) *the Secretary of Labor; and*

24 “(F) *the Commission.*

1 “(2) *MAJORITY SUPPORT.*—*The telecommunications interagency working group may not submit*
 2 *the report under paragraph (1) unless the report has*
 3 *the support of not less than the majority of the mem-*
 4 *bers of the telecommunications interagency working*
 5 *group.*

7 “(3) *VIEWS.*—*The telecommunications inter-*
 8 *agency working group shall—*

9 “(A) *include with the report submitted*
 10 *under paragraph (1) any concurring or dis-*
 11 *senting view offered by a member of the tele-*
 12 *communications interagency working group; and*

13 “(B) *identify each member to whom each*
 14 *concurring or dissenting view described in sub-*
 15 *paragraph (A) should be attributed.*

16 “(4) *PUBLIC POSTING.*—*The Commission and*
 17 *the Secretary of Labor shall make a copy of the report*
 18 *submitted under paragraph (1) available to the public*
 19 *on the websites of the Commission and the Depart-*
 20 *ment of Labor, respectively.*

21 “(h) *NONAPPLICABILITY OF FACA.*—*The Federal Ad-*
 22 *visory Committee Act (5 U.S.C. App.) shall not apply to*
 23 *the telecommunications interagency working group.”.*

24 (b) *SUNSET.*—*Section 344 of the Communications Act*
 25 *of 1934, as added by subsection (a), shall be repealed on*

1 *the day after the date on which the interagency working*
 2 *group established under subsection (b)(1) of that section*
 3 *submits the report under subsection (g) of that section.*

4 **SEC. 3. TELECOMMUNICATIONS WORKFORCE GUIDANCE.**

5 *Not later than 1 year after the date of enactment of*
 6 *this Act, the Secretary of Labor, in consultation with the*
 7 *Chairman of the Federal Communications Commission,*
 8 *shall establish and issue guidance on how States can ad-*
 9 *dress the workforce needs and safety of the telecommuni-*
 10 *cations industry, including guidance on how a State work-*
 11 *force development board established under section 101 of the*
 12 *Workforce Innovation and Opportunity Act (29 U.S.C.*
 13 *3111) can—*

14 *(1) utilize Federal resources available to States*
 15 *to meet the workforce needs of the telecommunications*
 16 *industry;*

17 *(2) promote and improve recruitment in quali-*
 18 *fied industry-led workforce development programs, in-*
 19 *cluding the Telecommunications Industry Registered*
 20 *Apprenticeship Program; and*

21 *(3) ensure the safety of the telecommunications*
 22 *workforce, including tower climbers.*

1 **SEC. 4. GAO ASSESSMENT OF WORKFORCE NEEDS OF THE**
 2 **TELECOMMUNICATIONS INDUSTRY.**

3 (a) *DEFINITIONS.*—In this section, the term “appro-
 4 priate congressional committees” means—

5 (1) *the Committee on Commerce, Science, and*
 6 *Transportation of the Senate;*

7 (2) *the Committee on Health, Education, Labor,*
 8 *and Pensions of the Senate;*

9 (3) *the Committee on Energy and Commerce of*
 10 *the House of Representatives; and*

11 (4) *the Committee on Education and Labor of*
 12 *the House of Representatives.*

13 (b) *REPORT.*—Not later than 180 days after the date
 14 of enactment of this Act, the Comptroller General of the
 15 United States shall submit to the appropriate congressional
 16 committees a report that estimates the number of skilled
 17 telecommunications workers that will be required to build
 18 and maintain—

19 (1) *broadband infrastructure in rural areas, in-*
 20 *cluding estimates based on—*

21 (A) *current need; and*

22 (B) *projected need, if Congress enacts legis-*
 23 *lation that accelerates broadband infrastructure*
 24 *construction in the United States; and*

25 (2) *the wireless infrastructure needed to support*
 26 *5G wireless technology.*

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