

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4374
OFFERED BY MR. DAVID SCOTT OF GEORGIA**

Strike all after the enacting clause and insert the
following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Broadband Internet
3 Connections for Rural America Act”.

4 SEC. 2. INNOVATIVE BROADBAND ADVANCEMENT PRO-
5 GRAM.

6 Section 603(e) of the Rural Electrification Act of
7 1936 (7 U.S.C. 950bb-2(e)) is amended to read as follows:

8 “(e) AUTHORIZATION OF APPROPRIATIONS.—

9 “(1) IN GENERAL.—There is authorized to be
10 appropriated to the Secretary \$300,000,000 for each
11 of fiscal years 2022 through 2030, to remain avail-
12 able until expended, to carry out projects in accord-
13 ance with this section—

14 “(A) in the case of fiscal year 2022, in 15
15 States, including Maine, Pennsylvania, Virginia,
16 California, Georgia, Texas, Florida, Minnesota,
17 South Carolina, Wyoming, Iowa, and West Vir-
18 ginia; and

1 “(B) in the case of each of fiscal years
2 2023 through 2030, in States selected by the
3 Secretary to be diverse on the basis of geog-
4 raphy, topography, and demographics.

5 “(2) LIMITATION.—Not more than \$25,000,000
6 of the amounts made available under paragraph (1)
7 for each fiscal year may be provided for a single
8 project.”.

9 **SEC. 3. RURAL BROADBAND PROGRAM LOANS AND**
10 **GRANTS.**

11 (a) IN GENERAL.—Section 601 of the Rural Elec-
12 trification Act of 1936 (7 U.S.C. 950bb) is amended—

13 (1) in the section heading, by striking “**AC-**
14 **CESS TO BROADBAND TELECOMMUNICATIONS**
15 **SERVICES IN RURAL AREAS**” and inserting “**RE-**
16 **CONNECT RURAL BROADBAND PROGRAM**”;

17 (2) by striking subsection (a) and inserting the
18 following:

19 “(a) ESTABLISHMENT; PURPOSE.—The Secretary
20 shall establish a program, which shall be known as the
21 ‘ReConnect Rural Broadband Program’, to provide grants,
22 loans, and loan guarantees to finance the costs of the con-
23 struction, improvement, and acquisition of facilities and
24 equipment for broadband service in rural areas.”;

1 (3) in subsection (c)(2), by striking subpara-
2 graphs (A) and (B) and inserting the following:

3 “(A) IN GENERAL.—In making grants,
4 making loans, and guaranteeing loans under
5 paragraph (1), the Secretary shall give the
6 highest priority to applications for projects to
7 provide broadband service to unserved rural
8 communities that do not have any residential
9 broadband service of at least—

10 “(i) a 10-Mbps downstream trans-
11 mission capacity; and

12 “(ii) a 1-Mbps upstream transmission
13 capacity.

14 “(B) OTHER.—After giving priority to the
15 applications described in clauses (i) and (ii) of
16 subparagraph (A), the Secretary shall then give
17 priority to applications for projects to provide
18 broadband service to rural communities—

19 “(i) with a population of less than
20 10,000 permanent residents; or

21 “(ii) with a high percentage of low in-
22 come families or persons (as defined in
23 section 501(b) of the Housing Act of
24 1949).

1 “(C) ADDITIONAL CONSIDERATIONS.—In
2 making grants, making loans, and guaranteeing
3 loans under this subsection, the Secretary shall
4 consider whether an application was developed
5 with the participation of community stake-
6 holders, and will receive a substantial portion of
7 the funding for the project from community
8 stakeholders or other non-Federal sources.”;

9 (4) in subsection (c)(3)—

10 (A) in subparagraph (B)—

11 (i) by striking “and” at the end of
12 clause (i);

13 (ii) by striking the period at the end
14 of clause (ii) and inserting “; and”; and

15 (iii) by adding at the end the fol-
16 lowing:

17 “(iii) shall be subject to a grant
18 agreement of not less than ten years.”;

19 (B) in subparagraph (D)(i)—

20 (i) in subclause (I), by striking
21 “(2)(A)(i)” and inserting “(2)(A)”; and

22 (ii) in subclause (II), by striking “any
23 of subclauses (I) through (IV) of para-
24 graph (2)(B)(i)” and inserting “clause (i)
25 or (ii) of paragraph (2)(B)”; and

1 (C) by striking subparagraph (E) and in-
2 serting the following:

3 “(E) APPLICATIONS.—

4 “(i) GRANT-ONLY APPLICATIONS.—

5 The Secretary shall establish an applica-
6 tion process that permits an application for
7 a grant-only award.

8 “(ii) COMBINED APPLICATIONS.—The
9 Secretary shall establish an application
10 process that permits—

11 “(I) a single application for a
12 grant and a loan under title I or II,
13 or this title, that is associated with
14 the grant; and

15 “(II) provides a single decision to
16 award the grant and the loan.”;

17 (5) in subsection (d)(2)—

18 (A) in subparagraph (A)—

19 (i) by striking “subparagraphs (B)
20 and (C)” and inserting “subparagraph
21 (B)”;

22 (ii) by striking “—” and all that fol-
23 lows through “(i)”;

24 (iii) by striking the semicolon and all
25 that follows through “providers”;

1 (B) in subparagraph (B), by striking
2 “(A)(i)” and inserting “(A)”; and

3 (C) by striking subparagraph (C);

4 (6) in subsection (d), by striking paragraph (5);

5 (7) by striking subsection (j) and inserting the
6 following:

7 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
8 is authorized to be appropriated to the Secretary to carry
9 out this section \$4,500,000,000 for each of fiscal years
10 2022 through 2030, to remain available for 5 fiscal years
11 after the fiscal year for which appropriated.”; and

12 (8) in subsection (k), by striking “2023” and
13 inserting “2030”.

14 (b) REGULATIONS.—Not later than 180 days after
15 the date of the enactment of this Act, the Secretary of
16 Agriculture shall promulgate rules to carry out the amend-
17 ments made by subsection (a) of this section, and complete
18 the biennial review process required by section 601(e)(2)
19 of the Rural Electrification Act of 1936.

20 (c) SUNSET.—The authorities provided by section
21 779 of the Consolidated Appropriations Act, 2018 (Public
22 Law 115–141) shall have no force or effect after June
23 30, 2022.

24 (d) TRANSITION RULES.—

1 (1) AVAILABILITY OF FUNDS FOR ADMINISTRA-
2 TIVE COSTS.—Not more than 1 percent of the unob-
3 ligated balances of amounts made available as of
4 June 1, 2022, to carry out the pilot program de-
5 scribed in section 779 of the Consolidated Appro-
6 priations Act, 2018 (Public Law 115–141) may be
7 used for the costs of transitioning from the pilot
8 program to the program under section 601 of the
9 Rural Electrification Act of 1936, as amended by
10 this Act.

11 (2) CONSOLIDATION OF FUNDS.—

12 (A) IN GENERAL.—The unobligated bal-
13 ances of all amounts made available on or be-
14 fore June 30, 2023, to carry out the pilot pro-
15 gram described in section 779 of the Consoli-
16 dated Appropriations Act, 2018 (Public Law
17 115–141) that are in excess of the amount de-
18 scribed in subparagraph (B) of this paragraph
19 are hereby transferred to and merged with
20 amounts made available to carry out the pro-
21 gram authorized under section 601 of the Rural
22 Electrification Act of 1936.

23 (B) UNFUNDED APPROVALS.—The amount
24 described in this subparagraph is the amount
25 required to fully fund each project approved as

1 of June 30, 2023, under the pilot program de-
2 scribed in such section 779 for which amounts
3 were not obligated or partially obligated as of
4 such date.

5 **SEC. 4. COMMUNITY CONNECT GRANTS.**

6 Section 604(g) of the Rural Electrification Act of
7 1936 (7 U.S.C. 950bb-3(g)) is amended by striking
8 “\$50,000,000 for each of fiscal years 2019 through 2023”
9 and inserting “\$150,000,000 for each of fiscal years 2022
10 through 2030, to remain available for 2 fiscal years after
11 the fiscal year for which appropriated”.

12 **SEC. 5. DISTANCE LEARNING AND TELEMEDICINE LOANS**
13 **AND GRANTS.**

14 Section 2335A of the Food Agriculture, Conserva-
15 tion, and Trade Act of 1990 (7 U.S.C. 950aaa-5) is
16 amended by striking “\$82,000,000 for each of fiscal years
17 2019 through 2023” and inserting “\$150,000,000 for
18 each of fiscal years 2022 through 2030, to remain avail-
19 able for 2 fiscal years after the fiscal year for which appro-
20 priated”.

21 **SEC. 6. EXPANSION OF MIDDLE MILE INFRASTRUCTURE**
22 **INTO RURAL AREAS.**

23 Section 602(g) of the Rural Electrification Act of
24 1936 (7 U.S.C. 950bb-1(g)) is amended by striking
25 “\$10,000,000 for each of fiscal years 2018 through 2023”

1 and inserting “\$300,000,000 for each of fiscal years 2022
2 through 2030, to remain available for 2 fiscal years after
3 the fiscal year for which appropriated”.

4 **SEC. 7. BROADBAND CONNECTORS PROGRAM.**

5 (a) IN GENERAL.—The Secretary of Agriculture shall
6 establish a system for the dissemination of information
7 and technical assistance on the broadband programs of the
8 Department of Agriculture, which shall be for the use of
9 entities eligible, such as Indian tribes and tribal organiza-
10 tions, to receive funds under title II or VI of the Rural
11 Electrification Act of 1936 (7 U.S.C. 901 et seq.) or chap-
12 ter 1 of subtitle D of title XXIII of the Food, Agriculture,
13 Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa
14 et seq.).

15 (b) LIMITATIONS ON AUTHORIZATION OF APPRO-
16 PRIATIONS.—To carry out subsection (a), there are au-
17 thorized to be appropriated to the Secretary of Agriculture
18 not more than \$25,000,000 for each of fiscal years 2022
19 through 2030, which are authorized to remain available
20 through fiscal year 2030.

21 **SEC. 8. COMMUNITY BROADBAND MAPPING.**

22 Section 701 of the Rural Electrification Act of 1936
23 (7 U.S.C. 950cc) is amended by redesignating subsection
24 (e) as subsection (f) and inserting after subsection (d) the
25 following:

1 “(e) COMMUNITY BROADBAND MAPPING PRO-
2 GRAM.—

3 “(1) IN GENERAL.—The Secretary may make
4 grants to eligible entities for the purpose of col-
5 lecting broadband service data to assist the Sec-
6 retary in—

7 “(A) establishing the availability of
8 broadband service or middle mile infrastructure
9 in a rural area;

10 “(B) determining the eligibility of a com-
11 munity for assistance under any broadband pro-
12 gram administered by the Secretary; or

13 “(C) undertaking a service area assess-
14 ment under this section.

15 “(2) APPLICATION.—To apply for a grant
16 under this section, an entity shall submit an applica-
17 tion therefor which identifies—

18 “(A) the data collection area;

19 “(B) the purpose of the data collection;

20 “(C) the types of broadband service data
21 to be collected;

22 “(D) the survey and data collection meth-
23 ods to be utilized; and

24 “(E) any other information the Secretary
25 determines necessary to promote the integrity

1 of broadband service data collected under this
2 section.

3 “(3) LIMITATION ON GRANT AMOUNT.—The
4 amount of a grant made under this subsection shall
5 not exceed \$50,000.

6 “(4) BROADBAND SERVICE DATA USAGE.—The
7 Secretary shall ensure that any broadband service
8 data collected under this section is—

9 “(A) measured or assessed in accordance
10 with such standards as the Secretary may es-
11 tablish;

12 “(B) accurate and verifiable in accordance
13 with such standards as the Secretary may es-
14 tablish;

15 “(C) included in any broadband maps or
16 data sets maintained by the Secretary; and

17 “(D) made available to the Chair of the
18 Federal Communications Commission and the
19 Administrator of the National Telecommuni-
20 cations and Information Administration for in-
21 clusion in any broadband maps or data sets ei-
22 ther may maintain.

23 “(5) DEFINITIONS.—In this subsection:

1 “(A) BROADBAND SERVICE.—The term
2 ‘broadband service’ has the meaning given the
3 term in section 601.

4 “(B) BROADBAND SERVICE DATA.—

5 “(i) IN GENERAL.—The term
6 ‘broadband service data’ means informa-
7 tion related to—

8 “(I) the location and type of
9 broadband service;

10 “(II) the location and type of
11 broadband infrastructure;

12 “(III) the advertised, maximum,
13 and average speed of broadband serv-
14 ice;

15 “(IV) the average price of the
16 most subscribed tier of broadband
17 service;

18 “(V) the speed tiers of broadband
19 service available in the area; or

20 “(VI) any additional metric the
21 Secretary deems appropriate.

22 “(ii) FURTHER DEFINITION.—The
23 Secretary shall further define the term
24 ‘broadband service data’ to ensure that
25 data is measured and collected in a man-

1 ner consistent with the reporting require-
2 ments under this section, and any
3 broadband coordination or data- sharing
4 obligations.

5 “(C) ELIGIBLE ENTITY.—The term ‘eligi-
6 ble entity’ means—

7 “(i) a unit of local government in a
8 rural area;

9 “(ii) a tribal government or unit of
10 tribal government;

11 “(iii) an economic development or
12 other community organization;

13 “(iv) an eligible entity under title I or
14 II that serves persons in rural areas;

15 “(v) an internet service provider that
16 has not more than 100,000 subscribers; or

17 “(vi) any other entity eligible under a
18 title VI program that is not an internet
19 service provider.

20 “(D) MIDDLE MILE INFRASTRUCTURE.—

21 The term ‘middle mile infrastructure’ has the
22 meaning given the term in section 602.

23 “(E) RURAL AREA.—The term ‘rural area’
24 has the meaning given the term in section 601.

1 “(6) LIMITATION ON AMOUNT MADE AVAILABLE
2 FOR GRANTS.—The Secretary may not expend more
3 than 1 percent of the amounts made available under
4 subsection (f) for each of fiscal years 2022 through
5 2030 to carry out this subsection.”.

6 **SEC. 9. LIMITATIONS ON RESERVATION OF FUNDS.**

7 Section 701(f) of the Rural Electrification Act of
8 1936 (7 U.S.C. 950cc(f)), as so redesignated by section
9 8 of this Act, is amended to read as follows:

10 “(f) LIMITATIONS ON RESERVATION OF FUNDS.—
11 Not less than 3 but not more than 7 percent of the
12 amounts appropriated to carry out title VI shall be set
13 aside to be used—

14 “(1) for administrative costs to carry out pro-
15 grams under title VI;

16 “(2) for technical assistance and pre-develop-
17 ment planning activities to support the most rural
18 communities;

19 “(3) to conduct oversight under title VI;

20 “(4) to implement accountability measures and
21 related activities authorized under title VI; and

22 “(5) to carry out this section.”.

