

**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 2029, to remain avail-
12 able until expended, to carry out projects in States
13 and territories selected by the Secretary to be di-
14 verse on the basis of geography, topography, and de-
15 mographics.

16 “(2) LIMITATION.—Not more than \$25,000,000
17 of the amounts made available under paragraph (1)

1 for each fiscal year may be provided for a single
2 project.”.

3 **SEC. 3. RURAL BROADBAND PROGRAM LOANS AND**
4 **GRANTS.**

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

7 (1) in the section heading, by striking “**AC-**
8 **CESS TO BROADBAND TELECOMMUNICATIONS**
9 **SERVICES IN RURAL AREAS**” and inserting “**RE-**
10 **CONNECT RURAL BROADBAND PROGRAM**”;

11 (2) by striking subsection (a) and inserting the
12 following:

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

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

21 “(A) IN GENERAL.—In making grants,
22 making loans, and guaranteeing loans under
23 paragraph (1), the Secretary shall give the
24 highest priority to applications for projects to
25 provide broadband service to unserved rural

1 communities that do not have any residential
2 broadband service of at least—

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

5 “(ii) a 1-Mbps upstream transmission
6 capacity.

7 “(B) OTHER.—After giving priority to the
8 applications described in clauses (i) and (ii) of
9 subparagraph (A), the Secretary shall then give
10 priority to applications for projects to provide
11 broadband service to rural communities—

12 “(i) with a population of less than
13 10,000 permanent residents; or

14 “(ii) with a high percentage of low in-
15 come families or persons (as defined in
16 section 501(b) of the Housing Act of
17 1949).

18 “(C) ADDITIONAL CONSIDERATIONS.—In
19 making grants, making loans, and guaranteeing
20 loans under this subsection, the Secretary shall
21 consider whether an application was developed
22 with the participation of community stake-
23 holders, and will receive a substantial portion of
24 the funding for the project from community
25 stakeholders or other non-Federal sources.”;

1 (4) in subsection (c)(3)—

2 (A) in subparagraph (B)—

3 (i) by striking “and” at the end of
4 clause (i);

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

7 (iii) by adding at the end the fol-
8 lowing:

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

11 (B) in subparagraph (D)(i)—

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

14 (ii) in subclause (II), by striking “any
15 of subclauses (I) through (IV) of para-
16 graph (2)(B)(i)” and inserting “clause (i)
17 or (ii) of paragraph (2)(B)”; and

18 (C) by striking subparagraph (E) and in-
19 serting the following:

20 “(E) APPLICATIONS.—

21 “(i) GRANT-ONLY APPLICATIONS.—

22 The Secretary shall establish an applica-
23 tion process that permits an application for
24 a grant-only award.

1 “(ii) COMBINED APPLICATIONS.—The
2 Secretary shall establish an application
3 process that permits—

4 “(I) a single application for a
5 grant and a loan under title I or II,
6 or this title, that is associated with
7 the grant; and

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

10 (5) in subsection (d)(2)—

11 (A) in subparagraph (A)—

12 (i) by striking “subparagraphs (B)
13 and (C)” and inserting “subparagraph
14 (B)”;

15 (ii) by striking “is submitted—” and
16 all that follows through “(i) not less” and
17 inserting “is submitted not less”; and

18 (iii) by striking “(e); and” and all
19 that follows and inserting “(e).”;

20 (B) in subparagraph (B), by striking
21 “Subparagraph (A)(i) shall” and inserting
22 “Subparagraph (A) shall”; and

23 (C) by striking subparagraph (C);

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

1 (7) by striking subsection (j) and inserting the
2 following:

3 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
4 is authorized to be appropriated to the Secretary to carry
5 out this section \$4,500,000,000 for each of fiscal years
6 2022 through 2029, to remain available for 5 fiscal years
7 after the fiscal year for which appropriated.”; and

8 (8) in subsection (k), by striking “2023” and
9 inserting “2029”.

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

16 (c) SUNSET.—The authorities provided by section
17 779 of the Consolidated Appropriations Act, 2018 (Public
18 Law 115–141) shall have no force or effect after June
19 30, 2022.

20 (d) TRANSITION RULES.—

21 (1) AVAILABILITY OF FUNDS FOR ADMINISTRA-
22 TIVE COSTS.—Not more than 1 percent of the unob-
23 ligated balances of amounts made available as of
24 June 1, 2021, to carry out the pilot program de-
25 scribed in section 779 of the Consolidated Appro-

1 priations Act, 2018 (Public Law 115–141) may be
2 used for the costs of transitioning from the pilot
3 program to the program under section 601 of the
4 Rural Electrification Act of 1936, as amended by
5 this Act.

6 (2) CONSOLIDATION OF FUNDS.—

7 (A) IN GENERAL.—The unobligated bal-
8 ances of all amounts made available on or be-
9 fore June 30, 2022, to carry out the pilot pro-
10 gram described in section 779 of the Consoli-
11 dated Appropriations Act, 2018 (Public Law
12 115–141) that are in excess of the amount de-
13 scribed in subparagraph (B) of this paragraph
14 are hereby transferred to and merged with
15 amounts made available to carry out the pro-
16 gram authorized under section 601 of the Rural
17 Electrification Act of 1936.

18 (B) UNFUNDED APPROVALS.—The amount
19 described in this subparagraph is the amount
20 required to fully fund each project approved as
21 of June 30, 2022, under the pilot program de-
22 scribed in such section 779 for which amounts
23 were not obligated or partially obligated as of
24 such date.

1 **SEC. 4. COMMUNITY CONNECT GRANTS.**

2 Section 604(g) of the Rural Electrification Act of
3 1936 (7 U.S.C. 950bb-3(g)) is amended by striking
4 “\$50,000,000 for each of fiscal years 2019 through 2023”
5 and inserting “\$150,000,000 for each of fiscal years 2022
6 through 2029, to remain available for 2 fiscal years after
7 the fiscal year for which appropriated”.

8 **SEC. 5. DISTANCE LEARNING AND TELEMEDICINE LOANS**
9 **AND GRANTS.**

10 Section 2335A of the Food, Agriculture, Conserva-
11 tion, and Trade Act of 1990 (7 U.S.C. 950aaa-5) is
12 amended by striking “\$82,000,000 for each of fiscal years
13 2019 through 2023” and inserting “\$150,000,000 for
14 each of fiscal years 2022 through 2029, to remain avail-
15 able for 2 fiscal years after the fiscal year for which appro-
16 priated”.

17 **SEC. 6. EXPANSION OF MIDDLE MILE INFRASTRUCTURE**
18 **INTO RURAL AREAS.**

19 Section 602(g) of the Rural Electrification Act of
20 1936 (7 U.S.C. 950bb-1(g)) is amended by striking
21 “\$10,000,000 for each of fiscal years 2018 through 2023”
22 and inserting “\$300,000,000 for each of fiscal years 2022
23 through 2029, to remain available for 2 fiscal years after
24 the fiscal year for which appropriated”.

1 **SEC. 7. BROADBAND CONNECTORS PROGRAM.**

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

12 (b) LIMITATIONS ON AUTHORIZATION OF APPRO-
13 PRIATIONS.—To carry out subsection (a), there are au-
14 thorized to be appropriated to the Secretary of Agriculture
15 not more than \$25,000,000 for each of fiscal years 2022
16 through 2029, which are authorized to remain available
17 through fiscal year 2029.

18 **SEC. 8. COMMUNITY BROADBAND MAPPING.**

19 Section 701 of the Rural Electrification Act of 1936
20 (7 U.S.C. 950cc) is amended by redesignating subsection
21 (e) as subsection (f) and inserting after subsection (d) the
22 following:

23 “(e) COMMUNITY BROADBAND MAPPING PRO-
24 GRAM.—

25 “(1) IN GENERAL.—The Secretary may make
26 grants to eligible entities for the purpose of col-

1 lecting broadband service data to assist the Sec-
2 retary in—

3 “(A) establishing the availability of
4 broadband service or middle mile infrastructure
5 in a rural area;

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

9 “(C) undertaking a service area assess-
10 ment under this section.

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

14 “(A) the data collection area;

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

16 “(C) the types of broadband service data
17 to be collected;

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

20 “(E) any other information the Secretary
21 determines necessary to promote the integrity
22 of broadband service data collected under this
23 section.

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

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

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

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

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

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

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

22 “(A) BROADBAND SERVICE.—The term
23 ‘broadband service’ has the meaning given the
24 term in section 601.

25 “(B) BROADBAND SERVICE DATA.—

1 “(i) IN GENERAL.—The term
2 ‘broadband service data’ means informa-
3 tion related to—
4 “(I) the location and type of
5 broadband service;
6 “(II) the location and type of
7 broadband infrastructure;
8 “(III) the advertised, maximum,
9 and average speed of broadband serv-
10 ice;
11 “(IV) the average price of the
12 most subscribed tier of broadband
13 service;
14 “(V) the speed tiers of broadband
15 service available in the area; or
16 “(VI) any additional metric the
17 Secretary deems appropriate.
18 “(ii) FURTHER DEFINITION.—The
19 Secretary shall further define the term
20 ‘broadband service data’ to ensure that
21 data is measured and collected in a man-
22 ner consistent with the reporting require-
23 ments under this section, and any
24 broadband coordination or data- sharing
25 obligations.

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

3 “(i) a unit of local government in a
4 rural area;

5 “(ii) a tribal government or unit of
6 tribal government;

7 “(iii) an economic development or
8 other community organization;

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

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

13 “(vi) any other entity eligible under a
14 title VI program that is not an internet
15 service provider.

16 “(D) MIDDLE MILE INFRASTRUCTURE.—
17 The term ‘middle mile infrastructure’ has the
18 meaning given the term in section 602.

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

21 “(6) LIMITATION ON AMOUNT MADE AVAILABLE
22 FOR GRANTS.—The Secretary may not expend more
23 than 1 percent of the amounts made available under
24 subsection (f) for each of fiscal years 2022 through
25 2029 to carry out this subsection.”.

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

2 Section 701(f) of the Rural Electrification Act of
3 1936 (7 U.S.C. 950cc(f)), as so redesignated by section
4 8 of this Act, is amended to read as follows:

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

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

11 “(2) for technical assistance and pre-develop-
12 ment planning activities to support the most rural
13 communities;

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

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

17 “(5) to carry out this section.”.

