Amendment Offered by Mrs. Fischbach of Minnesota
September 10th, 2021

This amendment inserts the Broadband Internet Connections for Rural America Act, as amended by the House Agriculture Committee, using the remaining funds under the reconciliation instructions.
AMENDMENT TO THE COMMITTEE PRINT
OFFERED BY MRS. FISCHBACH OF MINNESOTA

At the end of the committee print, add the following:

Subtitle F—Rural Broadband

SEC. 15001. INNOVATIVE BROADBAND ADVANCEMENT PROGRAM.

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

"(e) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary out of any money in the Treasury not otherwise appropriated $300,000,000 for fiscal year 2022 and $150,000,000 for each of fiscal years 2023 through 2031, to remain available until expended, to carry out projects in States and territories selected by the Secretary to be diverse on the basis of geography, topography, and demographics.

"(2) LIMITATION.—Not more than $25,000,000 of the amounts made available by paragraph (1) for each fiscal year may be provided for a single project."
SEC. 15002. RURAL BROADBAND PROGRAM LOANS AND GRANTS.

(a) IN GENERAL.—Section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb) is amended—

(1) in the section heading, by striking “ACCESS TO BROADBAND TELECOMMUNICATIONS SERVICES IN RURAL AREAS” and inserting “RECONNECT RURAL BROADBAND PROGRAM”;

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

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

(3) in subsection (c)(2), by striking subparagraphs (A) and (B) and inserting the following:

“(A) IN GENERAL.—In making grants, making loans, and guaranteeing loans under paragraph (1), the Secretary shall give the highest priority to applications for projects to provide broadband service to unserved rural communities that do not have any residential broadband service of at least—
“(i) a 10-Mbps downstream transmission capacity; and

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

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

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

“(ii) with a high percentage of low income families or persons (as defined in section 501(b) of the Housing Act of 1949).

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

(4) in subsection (c)(3)—

(A) in subparagraph (B)—
(i) by striking "and" at the end of clause (i);
(ii) by striking the period at the end of clause (ii) and inserting "; and"; and
(iii) by adding at the end the following:
"(iii) shall be subject to a grant agreement of not less than ten years."
(B) in subparagraph (D)(i)—
(i) in subclause (I), by striking "(2)(A)(i)" and inserting "(2)(A)"; and
(ii) in subclause (II), by striking "any of subclauses (I) through (IV) of paragraph (2)(B)(i)" and inserting "clause (i) or (ii) of paragraph (2)(B)"; and
(C) by striking subparagraph (E) and inserting the following:
"(E) APPLICATIONS.—
"(i) GRANT-ONLY APPLICATIONS.—
The Secretary shall establish an application process that permits an application for a grant-only award.
"(ii) COMBINED APPLICATIONS.—The Secretary shall establish an application process that permits—
“(I) a single application for a grant and a loan under title I or II, or this title, that is associated with the grant; and

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

(5) in subsection (d)(2)—

(A) in subparagraph (A)—

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

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

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

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

(C) by striking subparagraph (C);

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

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

“(j) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Secretary out
of any money in the Treasury not otherwise appropriated to the Secretary $1,800,000,000 for fiscal year 2022 and $1,950,000,000 for each of fiscal years 2023 through 2031, to carry out this section, to remain available for 5 fiscal years after the fiscal year for which appropriated.”; and

(8) in subsection (k), by striking “2023” and inserting “2031”.

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

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

(d) TRANSITION RULES.—

(1) AVAILABILITY OF FUNDS FOR ADMINISTRATIVE COSTS.—Not more than 1 percent of the unobligated balances of amounts made available as of June 1, 2021, to carry out the pilot program described in section 779 of the Consolidated Appropriations Act, 2018 (Public Law 115–141) may be...
used for the costs of transitioning from the pilot
program to the program under section 601 of the
Rural Electrification Act of 1936, as amended by
this Act.

(2) CONSOLIDATION OF FUNDS.—

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

(B) UNFUNDED APPROVALS.—The amount
described in this subparagraph is the amount
required to fully fund each project approved as
of June 30, 2022, under the pilot program de-
scribed in such section 779 for which amounts
were not obligated or partially obligated as of
such date.
SEC. 15003. COMMUNITY CONNECT GRANTS.

Section 604(g) of the Rural Electrification Act of 1936 (7 U.S.C. 950bb-3(g)) is amended to read as follows:

"(g) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Secretary, out of any money in the Treasury not otherwise appropriated, $70,000,000, for each of fiscal years 2022 through 2031, to carry out this section, to remain available for 2 fiscal years after the fiscal year for which appropriated."

SEC. 15004. DISTANCE LEARNING AND TELEMEDICINE LOANS AND GRANTS.

Section 2335A of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa–5) is amended to read as follows:

"SEC. 2335A. APPROPRIATION.

"In addition to amounts otherwise available, there is appropriated to the Secretary, out of any money in the Treasury not otherwise appropriated, $70,000,000 for each of fiscal years 2022 through 2031, to carry out this chapter, to remain available for 2 fiscal years after the fiscal year for which appropriated.""

SEC. 15005. EXPANSION OF MIDDLE MILE INFRASTRUCTURE INTO RURAL AREAS.

Section 602(g) of the Rural Electrification Act of 1936 (7 U.S.C. 950bb-1(g)) is amended to read as follows:
“(g) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Secretary, out of any money in the Treasury not otherwise appropriated, $150,000,000, for each of fiscal years 2022 through 2031, to carry out this section, to remain available for 2 fiscal years after the fiscal year for which appropriated.”.

SEC. 15006. BROADBAND CONNECTORS PROGRAM.

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

(b) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Secretary out of any money in the Treasury not otherwise appropriated, $10,000,000, for each of fiscal years 2022 through 2031, to carry out this section, to remain available through fiscal year 2031.
SEC. 15007. COMMUNITY BROADBAND MAPPING.

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

"(e) COMMUNITY BROADBAND MAPPING PROGRAM.—

"(1) IN GENERAL.—The Secretary may make grants to eligible entities for the purpose of collecting broadband service data to assist the Secretary in—

"(A) establishing the availability of broadband service or middle mile infrastructure in a rural area;

"(B) determining the eligibility of a community for assistance under any broadband program administered by the Secretary; or

"(C) undertaking a service area assessment under this section.

"(2) APPLICATION.—To apply for a grant under this section, an entity shall submit an application therefor which identifies—

"(A) the data collection area;

"(B) the purpose of the data collection;

"(C) the types of broadband service data to be collected;
“(D) the survey and data collection methods to be utilized; and

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

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

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

“(A) measured or assessed in accordance with such standards as the Secretary may establish;

“(B) accurate and verifiable in accordance with such standards as the Secretary may establish;

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

“(D) made available to the Chair of the Federal Communications Commission and the Administrator of the National Telecommunications and Information Administration for in-
clusion in any broadband maps or data sets ei-
ther may maintain.

“(5) DEFINITIONS.—In this subsection:

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

“(B) BROADBAND SERVICE DATA.——

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

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

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

“(III) the advertised, maximum,
and average speed of broadband serv-

“(IV) the average price of the
most subscribed tier of broadband

“(V) the speed tiers of broadband

“(VI) any additional metric the
Secretary deems appropriate.
“(ii) FURTHER DEFINITION.—The Secretary shall further define the term ‘broadband service data’ to ensure that data is measured and collected in a manner consistent with the reporting requirements under this section, and any broadband coordination or data-sharing obligations.

“(C) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

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

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

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

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

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

“(vi) any other entity eligible under a title VI program that is not an internet service provider.
“(D) MIDDLE MILE INFRASTRUCTURE.—

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

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

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

SEC. 15008. LIMITATIONS ON RESERVATION OF FUNDS.

Section 701(f) of the Rural Electrification Act of 1936 (7 U.S.C. 950cc(f)), as so redesignated by section 15007 of this Act, is amended to read as follows:

“(f) LIMITATIONS ON RESERVATION OF FUNDS.—

Not less than 3 but not more than 7 percent of the amounts appropriated to carry out title VI shall be set aside to be used—

“(1) for administrative costs to carry out programs under title VI;

“(2) for technical assistance and pre-development planning activities to support the most rural communities;

“(3) to conduct oversight under title VI;
“(4) to implement accountability measures and related activities authorized under title VI; and
“(5) to carry out this section.”.
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OFFERED BY MRS. FISCHBACH OF MINNESOTA

At the end of the committee print, add the following:

Subtitle F—Rural Broadband

SEC. 15001. INNOVATIVE BROADBAND ADVANCEMENT PROGRAM.

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“(e) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary out of any money in the Treasury not otherwise appropriated $300,000,000 for fiscal year 2022 and $150,000,000 for each of fiscal years 2023 through 2031, to remain available until expended, to carry out projects in States and territories selected by the Secretary to be diverse on the basis of geography, topography, and demographics.

“(2) LIMITATION.—Not more than $25,000,000 of the amounts made available by paragraph (1) for each fiscal year may be provided for a single project.”.
SEC. 15002. RURAL BROADBAND PROGRAM LOANS AND
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(a) IN GENERAL.—Section 601 of the Rural Elec-
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SERVICES IN RURAL AREAS” and inserting “RE-
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(2) by striking subsection (a) and inserting the
following:
“(a) ESTABLISHMENT; PURPOSE.—The Secretary
shall establish a program, which shall be known as the
‘ReConnect Rural Broadband Program’, to provide grants,
loans, and loan guarantees to finance the costs of the con-
struction, improvement, and acquisition of facilities and
equipment for broadband service in rural areas.”;
(3) in subsection (e)(2), by striking subpara-
graphs (A) and (B) and inserting the following:
“(A) IN GENERAL.—In making grants,
making loans, and guaranteeing loans under
paragraph (1), the Secretary shall give the
highest priority to applications for projects to
provide broadband service to unserved rural
communities that do not have any residential
broadband service of at least—