

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:

1 **Subtitle F—Rural Broadband**

2 **SEC. 15001. INNOVATIVE BROADBAND ADVANCEMENT PRO-**
3 **GRAM.**

4 Section 603(e) of the Rural Electrification Act of
5 1936 (7 U.S.C. 950bb-2(e)) is amended to read as follows:

6 “(e) AUTHORIZATION OF APPROPRIATIONS.—

7 “(1) IN GENERAL.—In addition to amounts
8 otherwise available, there is appropriated to the Sec-
9 retary out of any money in the Treasury not other-
10 wise appropriated \$300,000,000 for fiscal year 2022
11 and \$150,000,000 for each of fiscal years 2023
12 through 2031, to remain available until expended, to
13 carry out projects in States and territories selected
14 by the Secretary to be diverse on the basis of geog-
15 raphy, topography, and demographics.

16 “(2) LIMITATION.—Not more than \$25,000,000
17 of the amounts made available by paragraph (1) for
18 each fiscal year may be provided for a single
19 project.”.

1 **SEC. 15002. RURAL BROADBAND PROGRAM LOANS AND**
2 **GRANTS.**

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

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

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

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

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

19 “(A) **IN GENERAL.**—In making grants,
20 making loans, and guaranteeing loans under
21 paragraph (1), the Secretary shall give the
22 highest priority to applications for projects to
23 provide broadband service to unserved rural
24 communities that do not have any residential
25 broadband service of at least—

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

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

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

10 “(i) with a population of less than
11 10,000 permanent residents; or

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

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

24 (4) in subsection (c)(3)—

25 (A) in subparagraph (B)—

1 (i) by striking “and” at the end of
2 clause (i);

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

5 (iii) by adding at the end the fol-
6 lowing:

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

9 (B) in subparagraph (D)(i)—

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

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

16 (C) by striking subparagraph (E) and in-
17 serting the following:

18 “(E) APPLICATIONS.—

19 “(i) GRANT-ONLY APPLICATIONS.—

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

23 “(ii) COMBINED APPLICATIONS.—The

24 Secretary shall establish an application
25 process that permits—

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

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

7 (5) in subsection (d)(2)—

8 (A) in subparagraph (A)—

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

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

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

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

20 (C) by striking subparagraph (C);

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

22 (7) by striking subsection (j) and inserting the

23 following:

24 “(j) APPROPRIATION.—In addition to amounts other-
25 wise available, there is appropriated to the Secretary out

1 of any money in the Treasury not otherwise appropriated
2 to the Secretary \$1,800,000,000 for fiscal year 2022 and
3 \$1,950,000,000 for each of fiscal years 2023 through
4 2031, to carry out this section, to remain available for 5
5 fiscal years after the fiscal year for which appropriated.”;
6 and

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

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

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

19 (d) TRANSITION RULES.—

20 (1) AVAILABILITY OF FUNDS FOR ADMINISTRA-
21 TIVE COSTS.—Not more than 1 percent of the unob-
22 ligated balances of amounts made available as of
23 June 1, 2021, to carry out the pilot program de-
24 scribed in section 779 of the Consolidated Appro-
25 priations Act, 2018 (Public Law 115–141) may be

1 used for the costs of transitioning from the pilot
2 program to the program under section 601 of the
3 Rural Electrification Act of 1936, as amended by
4 this Act.

5 (2) CONSOLIDATION OF FUNDS.—

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

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

1 **SEC. 15003. COMMUNITY CONNECT GRANTS.**

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

4 “(g) APPROPRIATION.—In addition to amounts oth-
5 erwise available, there is appropriated to the Secretary,
6 out of any money in the Treasury not otherwise appro-
7 priated, \$70,000,000, for each of fiscal years 2022
8 through 2031, to carry out this section, to remain avail-
9 able for 2 fiscal years after the fiscal year for which appro-
10 priated.”.

11 **SEC. 15004. DISTANCE LEARNING AND TELEMEDICINE**
12 **LOANS AND GRANTS.**

13 Section 2335A of the Food, Agriculture, Conserva-
14 tion, and Trade Act of 1990 (7 U.S.C. 950aaa-5) is
15 amended to read as follows:

16 **“SEC. 2335A. APPROPRIATION.**

17 “In addition to amounts otherwise available, there is
18 appropriated to the Secretary, out of any money in the
19 Treasury not otherwise appropriated, \$70,000,000 for
20 each of fiscal years 2022 through 2031, to carry out this
21 chapter, to remain available for 2 fiscal years after the
22 fiscal year for which appropriated.”.

23 **SEC. 15005. EXPANSION OF MIDDLE MILE INFRASTRUC-**
24 **TURE INTO RURAL AREAS.**

25 Section 602(g) of the Rural Electrification Act of
26 1936 (7 U.S.C. 950bb-1(g)) is amended to read as follows:

1 “(g) APPROPRIATION.—In addition to amounts oth-
2 erwise available, there is appropriated to the Secretary,
3 out of any money in the Treasury not otherwise appro-
4 priated, \$150,000,000, for each of fiscal years 2022
5 through 2031, to carry out this section, to remain avail-
6 able for 2 fiscal years after the fiscal year for which appro-
7 priated.”.

8 **SEC. 15006. BROADBAND CONNECTORS PROGRAM.**

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

19 (b) APPROPRIATION.—In addition to amounts other-
20 wise available, there is appropriated to the Secretary out
21 of any money in the Treasury not otherwise appropriated,
22 \$10,000,000, for each of fiscal years 2022 through 2031,
23 to carry out this section, to remain available through fiscal
24 year 2031.

1 **SEC. 15007. COMMUNITY BROADBAND MAPPING.**

2 Section 701 of the Rural Electrification Act of 1936
3 (7 U.S.C. 950ce) is amended by redesignating subsection
4 (e) as subsection (f) and inserting after subsection (d) the
5 following:

6 “(e) COMMUNITY BROADBAND MAPPING PRO-
7 GRAM.—

8 “(1) IN GENERAL.—The Secretary may make
9 grants to eligible entities for the purpose of col-
10 lecting broadband service data to assist the Sec-
11 retary in—

12 “(A) establishing the availability of
13 broadband service or middle mile infrastructure
14 in a rural area;

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

18 “(C) undertaking a service area assess-
19 ment under this section.

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

23 “(A) the data collection area;

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

25 “(C) the types of broadband service data
26 to be collected;

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

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

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

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

13 “(A) measured or assessed in accordance
14 with such standards as the Secretary may es-
15 tablish;

16 “(B) accurate and verifiable in accordance
17 with such standards as the Secretary may es-
18 tablish;

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

21 “(D) made available to the Chair of the
22 Federal Communications Commission and the
23 Administrator of the National Telecommuni-
24 cations and Information Administration for in-

1 clusion in any broadband maps or data sets ei-
2 ther may maintain.

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

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

7 “(B) BROADBAND SERVICE DATA.—

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

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

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

15 “(III) the advertised, maximum,
16 and average speed of broadband serv-
17 ice;

18 “(IV) the average price of the
19 most subscribed tier of broadband
20 service;

21 “(V) the speed tiers of broadband
22 service available in the area; or

23 “(VI) any additional metric the
24 Secretary deems appropriate.

1 “(ii) FURTHER DEFINITION.—The
2 Secretary shall further define the term
3 ‘broadband service data’ to ensure that
4 data is measured and collected in a man-
5 ner consistent with the reporting require-
6 ments under this section, and any
7 broadband coordination or data- sharing
8 obligations.

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

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

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

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

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

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

21 “(vi) any other entity eligible under a
22 title VI program that is not an internet
23 service provider.

1 “(D) MIDDLE MILE INFRASTRUCTURE.—

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

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

6 “(6) LIMITATION ON AMOUNT MADE AVAILABLE
7 FOR GRANTS.—The Secretary may not expend more
8 than 1 percent of the amounts made available under
9 subsection (f) for each of fiscal years 2022 through
10 2029 to carry out this subsection.”.

11 **SEC. 15008. LIMITATIONS ON RESERVATION OF FUNDS.**

12 Section 701(f) of the Rural Electrification Act of
13 1936 (7 U.S.C. 950cc(f)), as so redesignated by section
14 15007 of this Act, is amended to read as follows:

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

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

21 “(2) for technical assistance and pre-develop-
22 ment planning activities to support the most rural
23 communities;

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

- 1 “(4) to implement accountability measures and
- 2 related activities authorized under title VI; and
- 3 “(5) to carry out this section.”.



AMENDMENT TO THE COMMITTEE PRINT
OFFERED BY MRS. FISCHBACH OF MINNESOTA

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

1 **Subtitle F—Rural Broadband**
2 **SEC. 15001. INNOVATIVE BROADBAND ADVANCEMENT PRO-**
3 **GRAM.**

4 Section 603(e) of the Rural Electrification Act of
5 1936 (7 U.S.C. 950bb-2(e)) is amended to read as follows:

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11 and \$150,000,000 for each of fiscal years 2023
12 through 2031, to remain available until expended, to
13 carry out projects in States and territories selected
14 by the Secretary to be diverse on the basis of geog-
15 raphy, topography, and demographics.

16 “(2) LIMITATION.—Not more than \$25,000,000
17 of the amounts made available by paragraph (1) for
18 each fiscal year may be provided for a single
19 project.”.

1 **SEC. 15002. RURAL BROADBAND PROGRAM LOANS AND**
2 **GRANTS.**

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

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

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

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

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

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22 highest priority to applications for projects to
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24 communities that do not have any residential
25 broadband service of at least—