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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To codify the ReConnect Program, to expand rural broadband assistance, and to improve the administration and accountability of the broadband programs at the Department of Agriculture.

IN THE HOUSE OF REPRESENTATIVES

Mr. THOMPSON of Pennsylvania introduced the following bill; which was referred to the Committee on _____

A BILL

To codify the ReConnect Program, to expand rural broadband assistance, and to improve the administration and accountability of the broadband programs at the Department of Agriculture.

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 “Broadband for Rural
5 America Act”.

1 **SEC. 2. STREAMLINING DUPLICATIVE BROADBAND AU-**
2 **THORITIES.**

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 (b), by striking paragraph (2)
18 and redesignating paragraph (3) as paragraph (2);

19 (4) in subsection (c)—

20 (A) by striking paragraph (2) and insert-
21 ing the following:

22 “(2) PRIORITY.—

23 “(A) IN GENERAL.—In providing assist-
24 ance under this section the Secretary shall—

25 “(i) give the highest priority to appli-
26 cations for projects to provide broadband

1 service to unserved rural communities that
2 do not have any residential broadband
3 service of at least—

4 “(I) a 10-Mbps downstream
5 transmission capacity; and

6 “(II) a 1-Mbps upstream trans-
7 mission capacity;

8 “(ii) give priority to applicants for
9 projects which propose to serve commu-
10 nities—

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

13 “(II) that are experiencing out-
14 migration and have adopted a stra-
15 tegic community investment plan
16 under section 379H(d) of the Consoli-
17 dated Farm and Rural Development
18 Act that includes considerations for
19 improving and expanding broadband
20 service;

21 “(III) with a high percentage of
22 low income families or persons (as de-
23 fined in section 501(b) of the Housing
24 Act of 1949 (42 U.S.C. 1471(b)); or

1 “(IV) that are isolated from
2 other significant population centers.

3 “(B) ADDITIONAL PRIORITY FOR AD-
4 VANCED PROJECTS.—After giving priority to
5 the applications described in subparagraph (A),
6 the Secretary shall then give priority to applica-
7 tions for projects which propose to provide—

8 “(i) the maximum level of broadband
9 service to the greatest proportion of rural
10 premises in the proposed service area iden-
11 tified in the application;

12 “(ii) rapid and expanded deployment
13 of fixed and mobile broadband on cropland
14 and rangeland within a service territory
15 that is not supported by funds from the
16 5G Fund for Rural America established by
17 the Federal Communications Commission
18 in the Report and Order in the matter of
19 Establishing a 5G Fund for Rural America
20 (FCC 20–150; adopted October 27, 2020),
21 for use in various applications of precision
22 agriculture.

23 “(C) ADDITIONAL PRIORITY FOR COMMU-
24 NITY STAKEHOLDERS.—The Secretary shall

1 further prioritize projects based on the number
2 of community stakeholders served, including—

3 “(i) State, local, and tribal govern-
4 ment entities;

5 “(ii) nonprofit institutions;

6 “(iii) community anchor institutions,
7 such as—

8 “(I) public libraries;

9 “(II) elementary schools and sec-
10 ondary schools (as defined in section
11 8101 of the Elementary and Sec-
12 ondary Education Act of 1965 (20
13 U.S.C. 7801));

14 “(III) institutions of higher edu-
15 cation;

16 “(IV) health care facilities; or

17 “(V) other essential community
18 facilities;

19 “(iv) rural businesses; or

20 “(v) philanthropic organizations.

21 “(D) ADMINISTRATION.—In implementing
22 this section, the Secretary shall—

23 “(i) provide equal consideration to all
24 eligible entities, including those that have

1 not previously received assistance under
2 this title; and

3 “(ii) with respect to 2 or more appli-
4 cations that are given the same priority
5 under this paragraph, give priority to an
6 application that is proposing to serve the
7 highest number of households without suf-
8 ficient broadband service.”; and

9 (B) in paragraph (3)—

10 (i) by striking “GRANT AMOUNTS”
11 and inserting “ADDITIONAL REQUIRE-
12 MENTS FOR GRANT AWARDS”; and

13 (ii) by striking subparagraph (E) and
14 inserting the following:

15 “(E) APPLICATIONS.—

16 “(i) GRANT-ONLY APPLICATIONS.—
17 The Secretary shall establish an applica-
18 tion process that permits an application for
19 a grant-only award.

20 “(ii) COMBINED APPLICATIONS.—The
21 Secretary shall establish an application
22 process that permits—

23 “(I) a single application for a
24 grant and a loan under title I or II,

1 or this title, that is associated with
2 the grant; and

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

5 (5) in subsection (d)—

6 (A) in paragraph (2)—

7 (i) in subparagraph (A)—

8 (I) by striking “subparagraphs
9 (B) and (C)” and inserting “subpara-
10 graph (B)”;

11 (II) by striking “submitted—”
12 and all that follows through “(i)” and
13 inserting “submitted”; and

14 (III) by striking “; and” and all
15 that follows through “providers”; and

16 (ii) by striking subparagraph (C); and

17 (B) in paragraph (3)(B)(iii), by striking
18 subclause (II) and inserting the following:

19 “(II) demonstrated on the maps
20 required to be created under section
21 802(c) of the Communications Act of
22 1934 (47 U.S.C. 642(c)), if address
23 level data is available.”; and

24 (6) by striking subsection (j) and inserting the
25 following:

1 “(j) LIMITATIONS ON AUTHORIZATION OF APPRO-
2 PRIATIONS.—There is authorized to be appropriated to the
3 Secretary to carry out this section, to remain available
4 until expended—

5 “(1) \$350,000,000 for fiscal year 2021;

6 “(2) \$3,500,000,000 for fiscal year 2022; and

7 “(3) \$3,500,000,000 for fiscal year 2023.”.

8 (b) SUNSET.—The authorities provided by section
9 779 of the Consolidated Appropriations Act, 2018 (Public
10 Law 115–141) shall have no force or effect after June
11 30, 2022.

12 (c) TRANSITION RULES.—

13 (1) AVAILABILITY OF FUNDS FOR ADMINISTRA-
14 TIVE COSTS.—Not more than 1 percent of the unob-
15 ligated balances of amounts made available as of
16 June 1, 2021, to carry out the pilot program de-
17 scribed in section 779 of the Consolidated Appro-
18 priations Act, 2018 (Public Law 115–141) may be
19 used for the costs of transitioning from the pilot
20 program to the program under section 601 of the
21 Rural Electrification Act of 1936, as amended by
22 this Act.

23 (2) CONSOLIDATION OF FUNDS.—

24 (A) IN GENERAL.—The unobligated bal-
25 ances of all amounts made available on or be-

1 fore June 30, 2022, to carry out the pilot pro-
2 gram described in section 779 of the Consoli-
3 dated Appropriations Act, 2018 (Public Law
4 115–141) that are in excess of the amount de-
5 scribed in subparagraph (B) of this paragraph
6 are hereby transferred to and merged with
7 amounts made available to carry out the pro-
8 gram authorized under section 601 of the Rural
9 Electrification Act of 1936.

10 (B) UNFUNDED APPROVALS.—The amount
11 described in this subparagraph is the amount
12 required to fully fund each project approved as
13 of June 30, 2022, under the pilot program de-
14 scribed in such section 779 for which amounts
15 were not obligated or partially obligated as of
16 such date.

17 **SEC. 3. EXPANDING MIDDLE-MILE INFRASTRUCTURE IN**
18 **RURAL AMERICA.**

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” and inserting
22 “\$150,000,000 for each of fiscal years 2021”.

1 **SEC. 4. FOSTERING BROADBAND TECHNOLOGY INNOVA-**
2 **TION.**

3 Section 603(e) of the Rural Electrification Act of
4 1936 (7 U.S.C. 950bb-2(e)) is amended by striking
5 “\$10,000,000 for each of fiscal years 2019” and inserting
6 “\$50,000,000 for each of fiscal years 2021”.

7 **SEC. 5. BROADBAND PROGRAM OVERSIGHT AND ACCOUNT-**
8 **ABILITY.**

9 Section 701 of the Rural Electrification Act of 1936
10 (7 U.S.C. 950cc) is amended—

11 (1) in subsection (b)(2)(A), by inserting
12 “(which data shall include maps required to be cre-
13 ated under section 802(e) of the Communications
14 Act of 1934)” before “and the Administrator”; and

15 (2) in subsection (e)—

16 (A) in the matter preceding paragraph (1),
17 by striking “program level amounts available
18 pursuant to” and inserting “the”; and

19 (B) by redesignating paragraphs (1)
20 through (3) as paragraphs (2) through (4), re-
21 spectively, and inserting before paragraph (2)
22 (as so redesignated) the following:

23 “(1) administrative costs for carrying out such
24 title;”.

1 **SEC. 6. AMENDMENTS TO FEDERAL BROADBAND PROGRAM**

2 **COORDINATION REQUIREMENTS.**

3 Section 6212 of the Agriculture Improvement Act of
4 2018 (7 U.S.C. 950bb-6) is amended—

5 (1) by striking subsection (a);

6 (2) by redesignating subsections (b) through (d)
7 as subsections (d) through (f), respectively; and

8 (3) by inserting before subsection (d) (as so re-
9 designated) the following:

10 “(a) **ELIGIBILITY VERIFICATION.**—The Secretary
11 shall consult with the Commission to assist in the
12 verification of eligibility of the broadband loan and grant
13 programs of the Department of Agriculture. In providing
14 assistance under the preceding sentence, the Commission
15 shall make available the broadband assessment and map-
16 ping capabilities of the Commission.

17 “(b) **INFORMATION-SHARING.**—

18 “(1) The Secretary shall semiannually submit
19 to the Assistant Secretary and the Commission com-
20 plete, reliable, and precise information (in a manner
21 consistent with how information is submitted under
22 section 802 of the Communications Act of 1934 (47
23 U.S.C. 642)) which identifies the areas for which
24 broadband service has been deployed under a loan or
25 grant program of the Department of Agriculture.

1 “(2) The Assistant Secretary shall semiannually
2 submit to the Secretary complete, reliable, and pre-
3 cise information (in a manner consistent with how
4 information is submitted under section 802 of the
5 Communications Act of 1934 (47 U.S.C. 642))
6 which identifies the areas for which broadband serv-
7 ice has been deployed under any assistance provided
8 by the Assistant Secretary, unless the Assistant Sec-
9 retary has submitted the information to the Com-
10 mission and the information is incorporated into the
11 maps required to be created under section 802(c) of
12 the Communications Act of 1934 (47 U.S.C. 642(c))
13 and is shared with the Secretary under paragraph
14 (3) of this subsection.

15 “(3) On request of the Secretary, the Commis-
16 sion shall provide to the Secretary the maps required
17 to be created under section 802(c) of the Commu-
18 nications Act of 1934 (47 U.S.C. 642(c)).

19 “(c) CONSULTATIONS BETWEEN USDA AND
20 NTIA.—

21 “(1) BY USDA.—The Secretary shall consult
22 with the Assistant Secretary before providing
23 broadband assistance for a project to serve an area
24 with respect to which another entity is receiving as-

1 sistance under any broadband assistance program
2 administered by the Assistant Secretary.

3 “(2) BY NTIA.—The Assistant Secretary shall
4 consult with the Secretary before offering or pro-
5 viding broadband assistance for a project to serve an
6 area with respect to which another entity has re-
7 ceived broadband assistance under a loan or grant
8 program of the Department of Agriculture.”.