H. R. 800

To establish the Office of Rural Broadband Initiatives within the Department of Agriculture, to preserve open Internet requirements, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 2017

Mr. HUFFMAN (for himself, Mr. POCAN, and Mr. NOLAN) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committees on Natural Resources, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

A BILL

To establish the Office of Rural Broadband Initiatives within the Department of Agriculture, to preserve open Internet requirements, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “New Deal Rural Broadband Act of 2017”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Office of Rural Broadband Initiatives.

Sec. 3. Breaking Ground on Rural Broadband Program.

Sec. 4. Tribal broadband assistance program.

Sec. 5. Telecommunications loan and loan guarantee program.

Sec. 6. Modifications to existing rural broadband programs.

Sec. 7. Inventory of Federal and State assets.

Sec. 8. Retention of rental fees associated with communications use authorizations on Federal lands.

1 **SEC. 2. OFFICE OF RURAL BROADBAND INITIATIVES.**

(a) Establishment.—Title VI of the Rural Electrification Act of 1936 (7 U.S.C. 950bb et seq.) is amended—

(1) by redesignating sections 601 through 603 as sections 603 through 605, respectively; and

(2) by inserting before section 603 (as so redesignated) the following new sections:

“**SEC. 601. DEFINITIONS.**

“In this title:

“(1) OFFICE.—The term ‘Office’ means the Office of Rural Broadband Initiatives established under section 602(a)(1).

“(2) PANEL.—The term ‘Panel’ means the Rural Broadband Advisory Panel established pursuant to section 602(d).

“(3) UNDER SECRETARY.—The term ‘Under Secretary’ means the Under Secretary for Rural Broadband Initiatives appointed under section 602(a)(2).
"SEC. 602. OFFICE OF RURAL BROADBAND INITIATIVES.

“(a) Establishment.—

“(1) In general.—There is established in the Department of Agriculture the Office of Rural Broadband Initiatives.

“(2) Under Secretary.—The head of the Office shall be the Under Secretary for Rural Broadband Initiatives, who shall—

“(A) be appointed by the President, by and with the advice and consent of the Senate; and

“(B) report directly to the Secretary.

“(b) Responsibilities.—

“(1) In general.—The Under Secretary shall administer all rural and underserved areas broadband-related grant, loan, and loan guarantee programs administered by the Administrator of the Rural Utilities Service as of the date of the enactment of this section, including—

“(A) the rural broadband access loan, loan guarantee, and grant program under section 603;

“(B) the breaking ground on rural broadband program under section 606;

“(C) the tribal broadband assistance program under section 607;
“(D) the Community Connect Grant Program described in subpart A of part 1739 of title 7, Code of Federal Regulations (or successor regulations); and

“(E) loans under title II.

“(2) REQUIREMENTS.—The Under Secretary shall—

“(A) conduct extensive, nationwide outreach to rural and underserved areas;

“(B) develop a comprehensive strategy for broadband in rural and underserved areas;

“(C) coordinate Federal resources for State, regional, and local governments to provide broadband assistance to citizens living and working in rural and underserved areas;

“(D) assess all relevant technologies (including WiFi, WIMAX, DSL, cable, satellite, fiber, and broadband over power lines), to determine if such technologies are able to support in whole or in part rural broadband requirements;

“(E) establish and maintain the Web-based clearinghouse described in subsection (e);

“(F) coordinate Federal rural broadband programs; and
“(G) provide technical assistance to State, regional, and local governments to develop deployment strategies for broadband in rural and underserved areas.

“(c) Comprehensive Rural Broadband Strategy.—

“(1) Report required.—Not later than 180 days after the date of the appointment of the first Under Secretary under subsection (a), and annually thereafter, the Under Secretary shall submit to the President and to the Committees on Agriculture and Energy and Commerce of the House of Representatives and the Committees on Agriculture, Nutrition, and Forestry and Commerce, Science, and Transportation of the Senate, a report describing a comprehensive strategy for broadband in rural and underserved areas that includes—

“(A) recommendations—

“(i) to promote interagency coordination between Federal agencies with respect to policies, procedures, targeted resources, and existing rural and underserved areas broadband programs;

“(ii) to improve and streamline the Federal policies, programs, and services re-
lating to rural and underserved areas broadband technologies;

“(iii) to specify how Federal agency programs and resources can meet rural and underserved area broadband requirements; and

“(iv) to promote successful model deployments and appropriate technology use in rural and underserved areas so that State, regional, and local governments can benefit from the cataloging of successes of other State, regional, and local governments;

“(B) a needs assessment for the implementation of rural and underserved areas broadband; and

“(C) a strategic plan for comprehensive rural and underserved areas broadband and a description of the amount of time needed to achieve such strategic plan.

“(2) ANNUAL REPORT UPDATE.—The Under Secretary shall update the report required under paragraph (1) on an annual basis.

“(d) RURAL BROADBAND ADVISORY PANEL.—
“(1) IN GENERAL.—Not later than 60 days after the date of appointment of the first Under Secretary under subsection (a), the Under Secretary shall submit to the Committees on Agriculture and Energy and Commerce of the House of Representatives and the Committees on Agriculture, Nutrition, and Forestry and Commerce, Science, and Transportation of the Senate, a plan to establish a Rural Broadband Advisory Panel.

“(2) CHAIRPERSON.—The Panel shall be chaired by the Under Secretary or a designee thereof.

“(3) MEMBERSHIP.—The Panel shall be composed of representatives of—

“(A) State governments;

“(B) local governments;

“(C) tribal governments;

“(D) communications equipment vendors (including broadband data service providers);

“(E) public utility services;

“(F) local exchange carriers;

“(G) wireless carriers;

“(H) satellite communications services;

and
“(I) other entities, as determined by the
Under Secretary.

“(4) MEETINGS.—The Panel shall meet not less
than 4 times each year.

“(5) DUTIES.—The Panel shall—

“(A) assist the Under Secretary in the an-
nual report update under subsection (c)(2);

“(B) evaluate the effectiveness of all Fed-
eral broadband assistance programs and policies
with respect to providing broadband access in
rural and underserved areas;

“(C) evaluate best practices employed at
the State and local government level to foster
broadband access in rural and underserved
areas.

“(e) WEB-BASED CLEARINGHOUSE.—The Under
Secretary shall establish and maintain a comprehensive
and interactive rural broadband Web-based clearinghouse
of resources for rural and underserved areas broadband,
including—

“(1) successful public-private partnerships;

“(2) funding sources;

“(3) technology tutorials;

“(4) descriptions of best practices;
“(5) assessments of various technology solutions;

“(6) case studies and feasibility studies;

“(7) descriptions of the applications of broadband in rural and underserved areas, including telework, telemedicine, distance learning, training, homeland security, senior citizen connectivity and program development, and business and economic development;

“(8) analyses of broadband policies in rural and underserved areas; and

“(9) supports for networks among rural and underserved communities and economic development agencies.”.

(b) CONFORMING AMENDMENTS.—Section 603 of the Rural Electrification Act of 1936, as redesignated by subsection (a)(1), is amended by striking “Administrator” and inserting “Under Secretary”.

(c) In GENERAL.—Not later than 60 days after the date of the appointment of the first Under Secretary under section 602(a) of title VI of the Rural Electrification Act of 1936 (7 U.S.C. 950bb et seq.), as amended by this Act, the Secretary of Agriculture shall issue regulations with respect to the qualification criteria for the loan and loan guarantee programs under such title that—
(1) emphasize streamlining the application
process and processing time;

(2) ensure that the financial requirements for
applicants do not unduly disqualify applicants that
have demonstrated a viable business plan; and

(3) do not diminish the mission of the program
to deliver broadband service to rural and under-
served areas.

(d) IMPLEMENTATION REPORT.—

(1) IN GENERAL.—Not later than 60 days after
the date of enactment of this Act, the Secretary of
Agriculture shall submit to Congress a report de-
scribing the resources and staff necessary to carry
out this section and the amendments made by this
section.

(2) COMPTROLLER GENERAL REVIEW.—

(A) IN GENERAL.—The Comptroller Gen-
eral of the United States shall review the report
submitted under paragraph (1) for validity.

(B) REPORT.—Not later than 30 days
after the date on which the report is submitted
under paragraph (1), the Comptroller General
of the United States shall submit to Congress
a report containing the findings of the review
under subparagraph (A).
SEC. 3. BREAKING GROUND ON RURAL BROADBAND PROGRAM.

Title VI of the Rural Electrification Act of 1936 (7 U.S.C. 950bb et seq.), as amended by section 2, is further amended by adding at the end the following new section:

"SEC. 606. BREAKING GROUND ON RURAL BROADBAND PROGRAM.

"(a) GRANTS, LOANS, AND LOAN GUARANTEES.—

"(1) IN GENERAL.—The Under Secretary, in consultation with the Federal Communications Commission and other relevant Federal agencies, shall establish the breaking ground on rural broadband program to make grants, loans, or loan guarantees to eligible entities for broadband programs to, with respect to rural and underserved areas—

"(A) acquire equipment, instrumentation, networking capability, hardware and software, digital network technology, and infrastructure for broadband services;

"(B) construct and deploy broadband service related infrastructure;

"(C) ensure access to broadband service by community anchor institutions;

"(D) facilitate access to broadband service to low-income, unemployed, aged, and otherwise vulnerable populations;
“(E) construct and deploy broadband facilities that improve public safety;

“(F) provide broadband communications services; and

“(G) such other activities the Under Secretary determines appropriate.

“(2) AWARD LOCATIONS.—To the extent practical, the Under Secretary shall award not less than one grant, loan, or loan guarantee under this section to an eligible entity located in each State.

“(3) CONSULTATION.—The Under Secretary shall consult a State with respect to—

“(A) identifying areas in need of broadband programs located in the State; and

“(B) the allocation of grant funds and loans and loan guarantees for broadband programs within the State.

“(b) EXPIRATION OF PROGRAM.—The Under Secretary may not award grants, loans, or loan guarantees under this section on a date that is after September 30, 2022.

“(c) APPLICATION.—To receive a grant, loan, or loan guarantee under this section, an eligible entity shall submit an application to the Under Secretary at such time, in such manner, and containing such information as the
13 Under Secretary may require, including a description of how—

“(1) the eligible entity will use funds awarded under this section;

“(2) such funds are necessary to implement the broadband program;

“(3) the broadband program will comply with all applicable Federal, State, and local laws;

“(4) the eligible entity will meet the non-Federal funds requirements under subsection (e), including the source and amount of such other funding; and

“(5) the eligible entity will accomplish the broadband program goals not later than to 5 years after receiving an award under this section.

“(d) PRIORITY.—In awarding grants, loans, or loan guarantees under this section, the Under Secretary may give priority to—

“(1) a broadband program that—

“(A) will serve the largest population by—

“(i) increasing the affordability and number of subscribers;

“(ii) increasing broadband speed; or

“(iii) enhancing healthcare delivery, education, or services for children; and
“(B) will serve a rural area (as such term is defined in section 203(b)); and

“(2) an eligible entity that is a socially and economically disadvantaged small business concern as defined under section 8(a) of the Small Business Act (15 U.S.C. 637(a)).

“(e) NON-FEDERAL FUNDS REQUIREMENTS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the recipient of a grant under this section shall provide funds, in-kind contributions, or a combination of both, from sources other than funds provided through such grant in an amount that is at least equal to 20 percent of the amount of such grant.

“(2) EXCEPTION.—The Under Secretary may provide a waiver to the requirements of paragraph (1) to an eligible entity that—

“(A) submits an application for such waiver, at such time, in such manner, and containing such information as the Under Secretary may require; and

“(B) demonstrates financial need.

“(f) DEOBLIGATE FUNDS.—In addition to other authority under applicable law, the Under Secretary may
deobligate awards under this section if an eligible entity demonstrates—

“(1) an insufficient level of performance; or

“(2) wasteful or fraudulent spending (as defined by the Under Secretary).

“(g) Reports by Award Recipients.—At such time as may be determined by the Under Secretary, an eligible entity that receives a grant, loan, or loan guarantee under this section shall submit to the Under Secretary a report that includes a description of the use of funds made available pursuant to this section.

“(h) Reports to Congress.—Not later than 180 days after the date on which funds are first made available to carry out this section under subsection (k), and once each 180 days thereafter until the expiration of the program under subsection (b), the Under Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate, the Committees on Agriculture and Energy and Commerce of the House of Representatives, and the Committees on Agriculture, Nutrition, and Forestry and Commerce, Science, and Transportation of the Senate, a report that includes—

“(1) the number of grants, loans, and loan guarantees applied for and provided under this section;
“(2) the communities proposed to be served in each grant, loan, or loan guarantee application submitted in 180 days before the date such report is submitted;

“(3) the period of time required to approve each grant, loan, or loan guarantee application under this section;

“(4) any outreach activities carried out by the Under Secretary to encourage entities in rural and underserved areas to submit applications under this section; and

“(5) each broadband service, including the type and speed of broadband service, for which assistance was sought, and each broadband service for which assistance was provided, under this section.

“(i) DATABASE.—Not later than 180 days after the date on which funds are first made available to carry out this section under subsection (k), the Under Secretary shall establish and maintain a fully searchable database, accessible on the Internet at no cost to the public, that includes—

“(1) a list of—

“(A) each entity that has applied for an award under this section; and
“(B) each eligible entity that has received an award under this section;

“(2) a description of each application under this section, and the status of each application;

“(3) the purpose for which each eligible entity is receiving funds under this section; and

“(4) each report submitted under subsection (h).

“(j) Eligible Entity Defined.—In this section, the term ‘eligible entity’ means—

“(1) a State or political subdivision thereof, the District of Columbia, a territory or possession of the United States, an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) or native Hawaiian organization;

“(2) a nonprofit organization; or

“(3) any other entity the Under Secretary determines to be in the public interest.

“(k) Authorization of Appropriations.—There is authorized to be appropriated to the Secretary of Agriculture to carry out this section $20,000,000,000 to remain available until September 30, 2022.”.
SEC. 4. TRIBAL BROADBAND ASSISTANCE PROGRAM.

Title VI of the Rural Electrification Act of 1936 (7 U.S.C. 950bb et seq.), is amended by inserting after section 606, as added by section 3, the following new section:

“SEC. 607. TRIBAL BROADBAND ASSISTANCE PROGRAM.

“(a) IN GENERAL.—The Under Secretary shall make grants, loans, or loan guarantees to entities to—

“(1) plan, construct, acquire, or improve facilities or equipment for the purpose of providing broadband service on tribal lands;

“(2) provide broadband service on tribal lands;

“(3) develop among tribal members technical expertise related to broadband service; and

“(4) improve the adoption of broadband service by individuals on tribal lands.

“(b) APPLICATION.—An entity desiring financial assistance under this section shall submit an application to the Under Secretary at such time, in such manner, and containing such information as the Under Secretary may require, including—

“(1) a description of the ability of the entity to furnish the minimum acceptable level of broadband service for tribal lands; and

“(2) an assurance that the entity will submit a report, at such time, in such manner, and containing
such information as the Under Secretary may specify, that describes—

“(A) the use by the entity of funds under this section; and

“(B) the provision by the entity of broadband service on tribal lands using such assistance, including—

“(i) the number and location of residences and businesses that receive improved broadband service as a result of such assistance; and

“(ii) the average price and speed of broadband service for such residences and businesses before and after the use by the entity of such assistance.

“(c) PRIORITY.—In providing financial assistance under this section, the Secretary shall give priority to applications from entities proposing to—

“(1) provide broadband service in underserved tribal areas;

“(2) provide broadband service to the greatest number of households in underserved tribal areas; and
“(3) improve the ability of tribal governments or their designees to provide telecommunications service on tribal lands.

“(d) LIMITATION.—The Under Secretary may not provide financial assistance under this section for a fiscal year to an entity that provides telecommunications service to 20 percent or more of the households in the United States if the cost to the Federal Government of such financial assistance exceeds 15 percent of the assistance made available under this section for the fiscal year.

“(e) REPORT.—Not later than 3 years after the date on which funds are first made available to carry out this section under subsection (f), the Under Secretary shall submit to Congress and to the Rural Broadband Advisory Panel a report that describes the extent of participation under this section for the preceding fiscal year, including a description of—

“(1) the communities served by activities supported by funds under this section;

“(2) the number of grants, loans, and loan guarantees applied for and provided under this section;

“(3) the period of time required to approve each application under this section; and
“(4) the overall progress towards fulfilling the goal of providing broadband service on tribal lands, including a description of—

“(A) the number and location of residences and businesses that receive improved broadband service as a result of financial assistance under this section;

“(B) the average price and speed of broadband service for such residences and businesses;

“(C) any network improvements supported under this section; and

“(D) activities supported under this section that improve broadband service on tribal lands for educational institutions, health care providers, and public safety service providers.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Agriculture to carry out this section $25,000,000 for each of fiscal years 2017 through 2022, to remain available until expended.”.
SEC. 5. TELECOMMUNICATIONS LOAN AND LOAN GUARANTEE PROGRAM.

(a) In general.—Title II of the Rural Electrification Act of 1936 (7 U.S.C. 922 et seq.) is amended by adding at the end the following new section:

“SEC. 208. REGIONAL TELECOMMUNICATIONS DEVELOPMENT.

“(a) In general.—In addition to any preference given under section 201 with respect to a telephone loan made under this Act, the Secretary may give preference to an application for such a loan for a project that, as determined by the Secretary, supports the development of telecommunications services on a multijurisdictional basis.

“(b) Evaluation of applications.—In evaluating an application described in subsection (a), the Secretary shall consider whether—

“(1) the project that is the subject of the application was developed through the collaboration and participation of multiple stakeholders in the service area of the project, including State, local, and tribal governments, nonprofit institutions, institutions of higher education, and private entities;

“(2) the applicant has an understanding of the applicable regional resources that could support the project, including natural resources, human resources, infrastructure, and financial resources; and
“(3) the project has clear objectives and includes a means to establish measurable performance measures and to track progress toward meeting such objectives.”.

(b) EXEMPTION FROM STATE AGENCY REQUIREMENT.—Section 201 of the Rural Electrification Act of 1936 (7 U.S.C. 922) is amended in the last sentence by inserting “or the application involved is an application described in section 208” before the period at the end.

(c) DEFINITION OF RURAL AREA.—Section 203(b) of the Rural Electrification Act of 1936 (7 U.S.C. 924(b)) is amended by striking “5,000” and inserting “20,000”.

SEC. 6. MODIFICATIONS TO EXISTING RURAL BROADBAND PROGRAMS.

(a) AWARD OF GRANTS.—Section 603 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb), as redesignated by section 2, is further amended—

(1) in subsection (a), by striking “loans and loan guarantees” and inserting “loans, loan guarantees, and grants”;

(2) in subsection (c)—

(A) in the subsection heading, by striking “AND LOAN GUARANTEES” and inserting “LOAN GUARANTEES, AND GRANTS”;
(B) in paragraph (1), by inserting ‘‘, and may make grants,’’ after ‘‘loans’’; and

(C) in paragraph (2)—

   (i) in the matter preceding subparagraph (A), by striking ‘‘loans or loan guarantees’’ and inserting ‘‘loans, loan guarantees, or grants’’;

   (ii) in subparagraph (A)—

      (I) by striking ‘‘loan and loan guarantee’’ and inserting ‘‘loan, loan guarantee, and grant’’; and

      (II) by striking ‘‘loans and loan guarantees’’ and inserting ‘‘loans, loan guarantees, and grants’’; and

   (iii) in subparagraph (C), by striking ‘‘loans or loan guarantees’’ and inserting ‘‘loans, loan guarantees, or grants’’;

(3) in subsection (d)—

   (A) in paragraph (1)(A)—

      (i) in the matter preceding clause (i), by striking ‘‘loan or loan guarantee’’ and inserting ‘‘loan, loan guarantee, or grant’’;

      (ii) in clause (ii), by striking ‘‘loan’’ and inserting ‘‘loan or grant’’; and

      (iii) in clause (iii)—
(I) by striking “loan” and inserting “loan or grant”; and

(II) by striking “loan made or guaranteed” and inserting “loan or grant made or loan guaranteed”;

(B) in paragraph (2)—

(i) in subparagraph (A), in the matter preceding clause (i)—

(I) by inserting “or the funds received through a grant made” after “guaranteed”; and

(II) by striking “loan or loan guarantee” and inserting “loan, loan guarantee, or grant”; and

(ii) in subparagraph (B), by striking “loan or loan guarantee” and inserting “loan, loan guarantee, or grant”;

(C) in paragraph (3)(A), by striking “loan or loan guarantee” and inserting “loan, loan guarantee, or grant”;

(D) in paragraph (4), by striking “loan or loan guarantee” and inserting “loan, loan guarantee, or grant”;

(E) in paragraph (5)(A), in the matter preceding clause (i), by striking “loan or loan
guarantee” and inserting “loan, loan guarantee, or grant”;

(F) in paragraph (6)—

(i) by striking “loan or loan guarantee” and inserting “loan, loan guarantee, or grant”; and

(ii) by striking “loan involved” and inserting “loan or grant involved”; and

(G) in paragraph (7), by striking “loan” and inserting “loan or grant”;

(4) in subsection (f), by striking “loan or loan guarantee” and inserting “loan, loan guarantee, or grant”;

(5) in subsection (j)—

(A) in the matter preceding paragraph (1), by striking “loan and loan guarantee” and inserting “loan, loan guarantee, and grant”; 

(B) in paragraph (1)—

(i) by striking “loans” and inserting “loans or grants”; and

(ii) by striking “loan” and inserting “loan or grant”;

(C) in paragraph (2)—

(i) in subparagraph (A), by striking “loan” and inserting “loan or grant”; and
(ii) in subparagraph (B), by striking “loans and loan guarantees” and inserting “loans, loan guarantees, and grants”; and

(D) in paragraph (3), by striking “loan” and inserting “loan or grant”;

(6) by redesignating subsections (k) and (l) as subsections (l) and (m), respectively;

(7) by inserting after subsection (j) the following new subsection:

“(k) MATCHING FUNDS REQUIREMENT.—The recipient of a grant under this section shall provide funds, in-kind contributions, or a combination of both, from sources other than funds provided through such grant in an amount that is at least equal to 10 percent of the amount of such grant.”;

(8) in subsection (l) (as so redesignated)—

(A) in paragraph (1), by striking “$25,000,000 for each of fiscal years 2008 through 2018” and inserting “$50,000,000 for each of fiscal years 2017 through 2020”; and

(B) in paragraph (2), by striking “loans and loan guarantees” and inserting “loans, loan guarantees, and grants” each place it appears; and

(9) in subsection (m) (as so redesignated)—
(A) by striking “loan or loan guarantee” and inserting “loan, loan guarantee, or grant”; and

(B) by striking “2018” and inserting “2020”.

(b) PRIORITY FOR SUPPORT FOR DEVELOPMENT OF BROADBAND SERVICE.—Section 601(c)(2) of the Rural Electrification Act of 1936 (7 U.S.C. 950bb(c)(2)), as amended by subsection (a), is further amended—

(1) in subparagraph (C), by striking “and” at the end;

(2) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new sub-

paragraph:

“(E) give priority to applicants that offer in the applications of the applicants to provide support for multijurisdictional projects for the development of broadband service in rural and underserved areas that are developed through the collaboration and participation of multiple stakeholders in the service area of such a project, including State, local, and tribal govern-

ments, nonprofit institutions, institutions of higher education, and private entities.”.
SEC. 7. INVENTORY OF FEDERAL AND STATE ASSETS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Under Secretary for Rural Broadband Initiatives shall—

(1) establish and maintain an inventory of any real property that is owned, leased, or otherwise managed by the Federal Government on which a broadband facility could be constructed, as determined by the Under Secretary for Rural Broadband Initiatives; and

(2) make such inventory available to the public.

(b) EXECUTIVE AGENCY REPORTS.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, each executive agency shall submit to the Under Secretary for Rural Broadband Initiatives a report that includes information regarding any real property that is owned, leased, or otherwise managed by such agency on which a broadband facility could be constructed.

(2) CHANGES IN REAL PROPERTY.—Not later than 30 days after receiving notice of changes in the information included in a report under paragraph (1), the head of an applicable executive agency shall notify the Under Secretary for Rural Broadband Initiatives of such changes.
(3) **National Security Exemption.**—An agency may exclude from the report described in paragraph (1) any information the head of the executive agency determines would harm national security.

(c) **State and Local Assets.**—

(1) **In General.**—A State, local, or tribal government may provide to the Under Secretary for Rural Broadband Initiatives information regarding any real property that is owned, leased, or otherwise managed by the State, local, or tribal government on which a broadband facility could be constructed.

(2) **Consultation.**—The Under Secretary for Rural Broadband Initiatives shall, in consultation with State, local, or tribal governments, issue such guidance or regulations as may be necessary to ensure that information provided by a State, local, or tribal government under paragraph (1) is accurate.

**SEC. 8. Retention of Rental Fees Associated With Communications Use Authorizations On Federal Lands.**

(a) **Special Account Required.**—The Secretary of the Treasury shall establish a special account in the Treasury for each Federal land management agency for the deposit of rental fees received by a Federal land man-
agement agency for communications use authorizations on Federal lands granted, issued, or executed by the Federal land management agency.

(b) DEPOSIT AND RETENTION OF RENTAL FEES.— Rental fees received by a Federal land management agency shall—

(1) be deposited in the special account established for that Federal land management agency; and

(2) remain available for expenditure under subsection (c), to the extent and in such amounts as are provided in advance in appropriation Acts.

(c) EXPENDITURE OF RETAINED FEES.—Amounts deposited in the special account for a Federal land management agency shall be used for Federal land management agency activities related to communications sites, including the following:

(1) Administering communications use authorizations, including cooperative agreements under subsection (d).

(2) Preparing needs assessments or other programmatic analyses necessary to designate communications sites and authorize communications uses on or adjacent to Federal lands.
(3) Developing management plans for communications sites on or adjacent to Federal lands.

(4) Training for management of communications sites on or adjacent to Federal lands.

(5) Obtaining or improving access to communications sites on or adjacent to Federal lands.

(d) COOPERATIVE AGREEMENT AUTHORITY.—

(1) DEPARTMENT OF THE INTERIOR.—The Secretary of the Interior may enter into cooperative agreements to carry out the activities described in subsection (c).

(2) FOREST SERVICE.—The Secretary of Agriculture, acting through the Chief of the Forest Service, may enter into cooperative agreements to carry out the activities described in subsection (c).

(e) NO EFFECT ON OTHER FEE RETENTION AUTHORITIES.—This section shall not limit or otherwise affect fee retention by a Federal land management agency under any other authority.

(f) DEFINITIONS.—In this section:

(1) COMMUNICATIONS SITE.—The term “communications site” means an area of Federal lands designated for telecommunications uses.

(2) COMMUNICATIONS USE.—The term “communications use” means the placement and oper-
ation of infrastructure for wireless telecommunications, regardless of whether the use of radio frequencies by such telecommunications is pursuant to a license issued by the Federal Communications Commission or on an unlicensed basis in accordance with the regulations of the Commission. The term includes ancillary activities directly related to such placement and operation.

(3) **COMMUNICATIONS USE AUTHORIZATION.**—The term “communications use authorization” means a right-of-way, permit, or lease granted, issued, or executed by a Federal land management agency for the primary purpose of authorizing the occupancy and use of Federal lands for communications use.

(4) **FEDERAL LAND MANAGEMENT AGENCY.**—The term “Federal land management agency” means the National Park Service, the United States Fish and Wildlife Service, the Bureau of Land Management, the Bureau of Reclamation, and the Forest Service.

(5) **FEDERAL LANDS.**—The term “Federal lands” means lands under the jurisdiction and management of a Federal land management agency.
(6) RENTAL FEE.—The term “rental fee” means the fee collected by a Federal land management agency for the occupancy and use authorized by a communications use authorization pursuant to and consistent with authorizing law.