

116TH CONGRESS
1ST SESSION

H. R. 5486

To amend the Rural Electrification Act of 1936 to improve access to broadband telecommunications services in rural areas, including by encouraging the provision of broadband loans and grants to increase broadband service in emerging harbor projects, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 18, 2019

Ms. PLASKETT (for herself, Mr. YOHO, and Miss GONZÁLEZ-COLÓN of Puerto Rico) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on 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 amend the Rural Electrification Act of 1936 to improve access to broadband telecommunications services in rural areas, including by encouraging the provision of broadband loans and grants to increase broadband service in emerging harbor projects, and for other purposes.

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 Internet
5 for Small Ports Act”.

1 **SEC. 2. ACCESS TO BROADBAND TELECOMMUNICATIONS**
2 **SERVICES IN RURAL AREAS.**

3 Section 601 of the Rural Electrification Act of 1936
4 (7 U.S.C. 950bb) is amended—

5 (1) in subsection (c)—

6 (A) in paragraph (2)—

7 (i) in subparagraph (A)—

8 (I) in clause (i)—

9 (aa) by striking “of at
10 least—” and inserting a semi-
11 colon; and

12 (bb) by striking subclauses
13 (I) and (II);

14 (II) in clause (iii), by striking
15 “and” at the end;

16 (III) in clause (iv), by striking
17 the period at the end and inserting “;
18 and”; and

19 (IV) by adding at the end the fol-
20 lowing:

21 “(v) give priority to applications for
22 projects to provide rapid and expanded de-
23 ployment of fixed and mobile broadband on
24 cropland and ranchland within a service
25 territory for use in various applications of
26 precision agriculture.”;

1 (ii) in subparagraph (B)—

2 (I) in clause (i)—

3 (aa) in subclause (III), by
4 inserting “or” after the semi-
5 colon;

6 (bb) in subclause (IV), by
7 striking “or” and inserting
8 “and”; and

9 (cc) by striking subclause
10 (V); and

11 (II) in clause (ii)—

12 (aa) in the matter preceding
13 subclause (I), by striking “2”
14 and inserting “1”;

15 (bb) in subclause (IV), by
16 inserting “and” after the semi-
17 colon;

18 (cc) in subclause (V), by
19 striking “; and” and inserting a
20 period at the end; and

21 (dd) by striking subclause
22 (VI); and

23 (iii) by adding at the end the fol-
24 lowing:

1 “(C) EMERGING HARBOR PROJECT PRI-
2 ORITY.—In addition to the priority given under
3 subparagraph (B), the Secretary shall give
4 equal priority to an application for a project
5 that would increase the availability of
6 broadband service in an emerging harbor
7 project (as defined in section 210(f) of the
8 Water Resources Development Act of 1986 (33
9 U.S.C. 2238(f))), without regard to whether the
10 application is from an emerging harbor project.

11 “(D) IDENTIFICATION OF UNSERVED COM-
12 MUNITIES.—

13 “(i) IN GENERAL.—In the case of an
14 application given the highest priority under
15 subparagraph (A)(i), the Secretary shall
16 confirm that each unserved rural commu-
17 nity identified in the application is eligible
18 for funding by—

19 “(I) conferring with and obtain-
20 ing data from the Federal Commu-
21 nications Commission and the Assist-
22 ant Secretary of Commerce for Com-
23 munications and Information with re-
24 spect to the service area proposed in
25 the application;

1 “(II) reviewing any other source
2 that is relevant to service data valida-
3 tion, as determined by the Secretary;
4 and

5 “(III) performing site-specific
6 testing to verify the unavailability of
7 any residential broadband service in
8 the unserved rural community.

9 “(ii) ADJUSTMENTS.—Not less often
10 than once every 2 years, the Secretary
11 shall review, and may adjust through no-
12 tice published in the Federal Register, the
13 unserved communities identified under
14 clause (i).”; and

15 (B) in paragraph (3), by striking subpara-
16 graphs (C) and (D) and inserting the following:

17 “(C) MAXIMUM.—Except as provided in
18 subparagraph (D), the amount of any grant
19 made under this section shall not exceed 50
20 percent of the development costs of the project
21 for which the grant is provided.

22 “(D) SECRETARIAL AUTHORITY TO AD-
23 JUST.—The Secretary may make grants of up
24 to 75 percent of the development costs of the
25 project for which the grant is provided to an el-

eligible entity if the Secretary determines that the project serves—

“(i) an area of rural households described in paragraph (2)(A)(ii); and

“(ii) a rural community described in any of subclauses (I) through (IV) of paragraph (2)(B)(i).”;

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking “subsection (j)” and inserting “subsection (l)”; and

(ii) by adding at the end the following:

“(C) RELATION TO UNIVERSAL SERVICE HIGH-COST SUPPORT.—The Secretary shall coordinate with the Federal Communications Commission to ensure that any grants, loans, or loan guarantees made under this section complement and do not conflict with universal service high-cost support (as defined in section 54.5 of title 47, Code of Federal Regulations, or any successor regulation) provided by the Commission.”;

(B) in paragraph (2)—

1 (i) in subparagraph (A)—

2 (I) in clause (i), by striking “50”

3 and inserting “90”; and

4 (II) in clause (ii), by striking “3”

5 and inserting “2”; and

6 (C) by adding at the end the following:

7 “(6) APPLICATION PROCESS.—The Secretary
8 shall provide to an applicant of a grant, loan, or
9 loan guarantee under this section feedback and deci-
10 sions on funding in a timely manner.”;

11 (3) by redesignating subsections (j) and (k) as
12 subsections (l) and (m), respectively;

13 (4) by inserting after subsection (i) the fol-
14 lowing:

15 “(j) BROADBAND BUILDOUT DATA.—As a condition
16 of receiving a grant, loan, or loan guarantee under this
17 section, a recipient of assistance shall provide to the Sec-
18 retary complete, reliable, and precise geolocation informa-
19 tion that indicates the location of new broadband service
20 that is being provided or upgraded within the service terri-
21 tory supported by the grant, loan, or loan guarantee not
22 later than 30 days after the earlier of—

23 “(1) the date of completion of any project mile-
24 stone established by the Secretary; or

25 “(2) the date of completion of the project.

1 “(k) ENVIRONMENTAL REVIEWS.—The Secretary
 2 may obligate, but not disperse, funds under this Act before
 3 the completion of otherwise required environmental, his-
 4 torical, or other types of reviews if the Secretary deter-
 5 mines that a subsequent site-specific review shall be ade-
 6 quate and easily accomplished for the location of towers,
 7 poles, or other broadband facilities in the service area of
 8 the borrower without compromising the project or the re-
 9 quired reviews.”; and

10 (5) in subsection (l)(2)(A) (as so redesign-
 11 nated)—

12 (A) in clause (i), by striking “and” at the
 13 end;

14 (B) in clause (ii), by striking the period at
 15 the end and inserting “; and”; and

16 (C) by adding at the end the following:

17 “(iii) set aside at least 1 percent to be
 18 used for—

19 “(I) conducting oversight under
 20 this section; and

21 “(II) implementing accountability
 22 measures and related activities au-
 23 thorized under this section.”.

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