

Calendar No. 567

116TH CONGRESS
2D SESSION**S. 1046****[Report No. 116–274]**

To establish the Office of Internet Connectivity and Growth, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 4, 2019

Ms. CORTEZ MASTO (for herself, Mr. GARDNER, Mr. JONES, Mr. JOHNSON, Ms. BALDWIN, Mrs. BLACKBURN, Ms. SINEMA, Ms. ROSEN, and Mr. PETERS) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

OCTOBER 1, 2020

Reported by Mr. WICKER, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italie*]**A BILL**

To establish the Office of Internet Connectivity and Growth,
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 “Advancing Critical
5 Connectivity Expands Service, Small Business Resources;

1 Opportunities, Access, and Data Based on Assessed Need
 2 and Demand Act” or the “ACCESS BROADBAND Act”.

3 **SEC. 2. DEFINITIONS.**

4 In this Act:

5 (1) AGENCY.—The term “agency” has the
 6 meaning given that term in section 551 of title 5,
 7 United States Code.

8 (2) ASSISTANT SECRETARY.—The term “Assist-
 9 ant Secretary” means the Assistant Secretary of
 10 Commerce for Communications and Information.

11 (3) COMMISSION.—The term “Commission”
 12 means the Federal Communications Commission.

13 (4) FEDERAL BROADBAND SUPPORT PRO-
 14 GRAM.—The term “Federal broadband support pro-
 15 gram” does not include any Universal Service Fund
 16 program and means any of the following programs
 17 (or any other similar Federal program) to the extent
 18 the program offers broadband internet service or
 19 programs for promoting broadband access and adop-
 20 tion for various demographic communities through
 21 various media for residential, commercial, or com-
 22 munity providers, or academic establishments:

23 (A) The Telecommunications and Tech-
 24 nology Program of the Appalachian Regional
 25 Commission.

1 (B) The following programs of the Rural
2 Utilities Service of the Department of Agri-
3 culture:

4 (i) The Telecommunications Infra-
5 structure Loan and Loan Guarantee Pro-
6 gram.

7 (ii) The Rural Broadband Access
8 Loan and Loan Guarantee Program au-
9 thorized under section 601 of the Rural
10 Electrification Act of 1936 (7 U.S.C.
11 950bb).

12 (iii) The Substantially Underserved
13 Trust Area Initiative.

14 (iv) The Community Connect Grant
15 Program established under title III of the
16 Agriculture, Rural Development, Food and
17 Drug Administration, and Related Agen-
18 cies Appropriations, 2004 (division A of
19 Public Law 108–199, 118 Stat. 19).

20 (v) The Distance Learning and Tele-
21 medicine Grant Program under section
22 2333 of the Food, Agriculture, Conserva-
23 tion, and Free Trade Act of 1990 (7
24 U.S.C. 950aaa–2).

(C) The following programs of the Economic Development Administration of the Department of Commerce:

(i) The Public Works and Economic Adjustment Assistance Programs.

(ii) The Planning and Local Technical Assistance Programs.

(D) The following programs of the Department of Housing and Urban Development:

(i) The Community Development Block Grant Program under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.).

(ii) The loan guarantee program under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308) (commonly known as the “Section 108 Loan Guarantee Program”).

(iii) Assistance from the Public Housing Capital Fund established under section 9(d) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d)).

(iv) Assistance from the Public Housing Operating Fund established under sec-

tion 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)).

(v) The Multifamily Housing Programs.

(vi) The Indian Community Development Block Grant Program.

(vii) The Indian Housing Block Grant Program under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111).

(viii) Loan guarantees under title VI of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4191 et seq.) (commonly known as the “Title VI Loan Guarantee Program”).

(ix) The Choice Neighborhoods Initiative.

(x) The HOME Investment Partnerships Program authorized under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12721 et seq.).

(xi) The Housing Trust Fund established under section 1338 of the Federal

1 Housing Enterprises Financial Safety and
2 Soundness Act of 1992 (12 U.S.C. 4568).

3 (xii) The Housing Opportunities for
4 Persons With AIDS Program authorized
5 under the AIDS Housing Opportunity Act
6 (42 U.S.C. 12901 et seq.).

7 (E) The American Job Centers of the Em-
8 ployment and Training Administration of the
9 Department of Labor.

10 (F) The Library Services and Technology
11 Grant Programs of the Institute of Museum
12 and Library Services.

13 (5) OFFICE.—The term “Office” means the Of-
14 fice of Internet Connectivity and Growth established
15 under section 3.

16 (6) UNIVERSAL SERVICE FUND PROGRAM.—The
17 term “Universal Service Fund program” means any
18 program authorized under section 254 of the Com-
19 munications Act of 1934 (47 U.S.C. 254) to help de-
20 ploy broadband.

21 (7) UNIVERSAL SERVICE MECHANISM.—The
22 term “universal service mechanism” means any
23 funding stream provided by a Universal Service
24 Fund program to support broadband access.

1 **SEC. 3. ESTABLISHMENT OF OFFICE OF INTERNET**
2 **CONNECTIVITY AND GROWTH.**

3 Not later than 180 days after the date of enactment
4 of this Act, the Assistant Secretary shall establish the Of-
5 fice of Internet Connectivity and Growth within the Na-
6 tional Telecommunications and Information Administra-
7 tion.

8 **SEC. 4. DUTIES.**

9 (a) **OUTREACH.**—The Office shall—

10 (1) connect with communities that need access
11 to high-speed internet and improved digital inclusion
12 efforts through various forms of outreach and com-
13 munication techniques;

14 (2) hold regional workshops across the United
15 States to share best practices and effective strategies
16 for promoting broadband access and adoption;

17 (3) develop targeted broadband training and
18 presentations for various demographic communities
19 through various media; and

20 (4) develop and distribute publications (includ-
21 ing toolkits, primers, manuals, and white papers)
22 providing guidance, strategies, and insights to com-
23 munities as the communities develop strategies to
24 expand broadband access and adoption.

25 (b) **TRACKING OF FEDERAL DOLLARS.**—

1 (1) BROADBAND INFRASTRUCTURE.—The Of-
 2 fice shall track the construction and use of and ac-
 3 cess to any broadband infrastructure built using any
 4 Federal support in a central database.

5 (2) ACCOUNTING MECHANISM.—The Office
 6 shall develop a streamlined accounting mechanism
 7 by which any agency offering a Federal broadband
 8 support program, and the Commission through the
 9 Universal Service Fund, shall provide the informa-
 10 tion described in paragraph (1) in a standardized
 11 and efficient fashion.

12 (3) REPORT.—Not later than 1 year after the
 13 date of enactment of this Act, and every year there-
 14 after, the Office shall make public on the website of
 15 the Office and submit to the Committee on Com-
 16 merce, Science, and Transportation of the Senate
 17 and the Committee on Energy and Commerce of the
 18 House of Representatives a report on the following:

19 (A) A description of the work of the Office
 20 for the previous year and the number of resi-
 21 dents of the United States who received
 22 broadband access as a result of a Federal
 23 broadband support program or a Universal
 24 Service Fund program.

1 (B) The number of residents of the United
 2 States described in subparagraph (A), broken
 3 down by the Federal broadband support pro-
 4 gram or universal service mechanism to which
 5 the broadband access was attributable.

6 (C) An estimate of the economic impact of
 7 the broadband deployment efforts described in
 8 subparagraphs (A) and (B) on the local econ-
 9 omy in areas receiving assistance through those
 10 efforts, including any effect on small businesses
 11 or jobs.

12 **SEC. 5. STREAMLINED APPLICATIONS FOR SUPPORT.**

13 (a) AGENCY CONSULTATION.—The Office shall con-
 14 sult with any agency offering a Federal broadband support
 15 program to streamline and standardize the application
 16 process for grants or other financial assistance from the
 17 program.

18 (b) AGENCY STREAMLINING.—Any agency offering a
 19 Federal broadband support program shall amend the ap-
 20 plication for broadband support from that program, to the
 21 extent practicable and as necessary, to streamline and
 22 standardize applications for Federal broadband support
 23 programs across the Federal Government.

24 (c) SINGLE APPLICATION.—To the greatest extent
 25 practicable, the Office shall seek to create 1 application

1 that may be submitted to apply for all, or substantially
 2 all, Federal broadband support programs.

3 (d) ~~WEBSITE REQUIRED.~~—Not later than 180 days
 4 after the date of enactment of this Act, the Office shall
 5 create a central website through which a potential appli-
 6 cant can learn about and apply for support through any
 7 Federal broadband support program.

8 SEC. 6. COORDINATION OF SUPPORT.

9 The Office, any agency that offers a Federal
 10 broadband support program, and the Commission,
 11 through the Universal Service Fund, shall coordinate with
 12 each other to ensure that Federal support for broadband
 13 is being distributed in an efficient, technology-neutral, and
 14 financially sustainable manner, with the goal of serving
 15 the largest number of persons in the United States while
 16 avoiding overbuilding and promoting the most job and eco-
 17 nomic growth for all residents of the United States.

18 SEC. 7. RULE OF CONSTRUCTION.

19 Nothing in this Act is intended to alter or amend any
 20 provision of section 254 of the Communications Act of
 21 1934 (47 U.S.C. 254).

22 SEC. 8. NO ADDITIONAL FUNDS AUTHORIZED.

23 No additional funds are authorized to be appro-
 24 priated to carry out this Act. This Act shall be carried
 25 out using amounts otherwise authorized.

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Advancing Critical*
 3 *Connectivity Expands Service, Small Business Resources,*
 4 *Opportunities, Access, and Data Based on Assessed Need*
 5 *and Demand Act” or the “ACCESS BROADBAND Act”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 (1) *AGENCY.*—*The term “agency” has the mean-*
 9 *ing given that term in section 551 of title 5, United*
 10 *States Code.*

11 (2) *ASSISTANT SECRETARY.*—*The term “Assist-*
 12 *ant Secretary” means the Assistant Secretary of Com-*
 13 *merce for Communications and Information.*

14 (3) *COMMISSION.*—*The term “Commission”*
 15 *means the Federal Communications Commission.*

16 (4) *FEDERAL BROADBAND SUPPORT PROGRAM.*—
 17 *The term “Federal broadband support program” does*
 18 *not include any Universal Service Fund program and*
 19 *means any of the following programs (or any other*
 20 *similar Federal program) to the extent the program*
 21 *offers broadband internet service or programs for pro-*
 22 *moting broadband access and adoption for various de-*
 23 *mographic communities through various media for*
 24 *residential, commercial, or community providers, or*
 25 *academic establishments:*

1 (A) *The Telecommunications and Tech-*
2 *nology Program of the Appalachian Regional*
3 *Commission.*

4 (B) *The following programs of the Rural*
5 *Utilities Service of the Department of Agri-*
6 *culture:*

7 (i) *The Telecommunications Infra-*
8 *structure Loan and Loan Guarantee Pro-*
9 *gram established under the Rural Elec-*
10 *trification Act of 1936 (7 U.S.C. 901 et*
11 *seq.).*

12 (ii) *Any program to provide grants,*
13 *loans, or loan guarantees under sections 601*
14 *through 603 of the Rural Electrification Act*
15 *of 1936 (7 U.S.C. 950bb et seq.).*

16 (iii) *The substantially underserved*
17 *trust area initiative under section 306F of*
18 *the Rural Electrification Act of 1936 (7*
19 *U.S.C. 936f).*

20 (iv) *The Community Connect Grant*
21 *Program established under section 604 of*
22 *the Rural Electrification Act of 1936 (7*
23 *U.S.C. 950bb–3).*

24 (v) *The distance learning and tele-*
25 *medicine grant program established under*

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.).

(vi) The broadband loan and grant pilot program known as the “Rural eConnectivity Pilot Program” or the “Re-Connect Program” authorized under section 779 of division A of the Consolidated Appropriations Act, 2018 (Public Law 115–141; 132 Stat. 399).

(C) The following other programs of the Department of Agriculture:

(i) Community facility direct and guaranteed loans under section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)).

(ii) Community facility grants under paragraph (19), (20), or (21) of section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)).

(iii) The Rural Community Development Initiative authorized under the heading “RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT” under the heading “RURAL HOUSING SERVICE” under title III of divi-

1 *sion B of the Consolidated Appropriations*
 2 *Act, 2019 (Public Law 116–6; 133 Stat.*
 3 *62).*

4 *(D) The following programs of the Eco-*
 5 *nomic Development Administration of the De-*
 6 *partment of Commerce:*

7 *(i) The Public Works and Economic*
 8 *Adjustment Assistance Programs.*

9 *(ii) The Planning and Local Technical*
 10 *Assistance Programs.*

11 *(E) The following programs of the Depart-*
 12 *ment of Housing and Urban Development:*

13 *(i) The Community Development Block*
 14 *Grant Program under title I of the Housing*
 15 *and Community Development Act of 1974*
 16 *(42 U.S.C. 5301 et seq.).*

17 *(ii) The loan guarantee program under*
 18 *section 108 of the Housing and Community*
 19 *Development Act of 1974 (42 U.S.C. 5308)*
 20 *(commonly known as the “Section 108 Loan*
 21 *Guarantee Program”).*

22 *(iii) Assistance from the Public Hous-*
 23 *ing Capital Fund established under section*
 24 *9(d) of the United States Housing Act of*
 25 *1937 (42 U.S.C. 1437g(d)).*

1 (iv) *Assistance from the Public Housing Operating Fund established under section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)).*

5 (v) *The Multifamily Housing Programs.*

7 (vi) *The Indian Community Development Block Grant Program.*

9 (vii) *The Indian Housing Block Grant Program under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111).*

13 (viii) *Loan guarantees under title VI of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4191 et seq.) (commonly known as the “Title VI Loan Guarantee Program”).*

18 (ix) *The Choice Neighborhoods Initiative.*

20 (x) *The HOME Investment Partnerships Program authorized under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12721 et seq.).*

24 (xi) *The Housing Trust Fund established under section 1338 of the Federal*

1 *Housing Enterprises Financial Safety and*
 2 *Soundness Act of 1992 (12 U.S.C. 4568).*

3 *(xii) The Housing Opportunities for*
 4 *Persons With AIDS Program authorized*
 5 *under the AIDS Housing Opportunity Act*
 6 *(42 U.S.C. 12901 et seq.).*

7 *(F) The American Job Centers of the Em-*
 8 *ployment and Training Administration of the*
 9 *Department of Labor.*

10 *(G) The Library Services and Technology*
 11 *Grant Programs of the Institute of Museum and*
 12 *Library Services.*

13 *(5) OFFICE.—The term “Office” means the Office*
 14 *of Internet Connectivity and Growth established*
 15 *under section 3.*

16 **SEC. 3. ESTABLISHMENT OF OFFICE OF INTERNET**
 17 **CONNECTIVITY AND GROWTH.**

18 *Not later than 180 days after the date of enactment*
 19 *of this Act, the Assistant Secretary shall establish the Office*
 20 *of Internet Connectivity and Growth within the National*
 21 *Telecommunications and Information Administration.*

22 **SEC. 4. DUTIES.**

23 *(a) IN GENERAL.— The Office shall—*

24 *(1) connect with communities that need access to*
 25 *high-speed internet and improved digital inclusion ef-*

1 *forts through various forms of outreach and commu-*
 2 *nication techniques;*

3 *(2) hold regional workshops across the United*
 4 *States to share best practices and effective strategies*
 5 *for promoting broadband access and adoption;*

6 *(3) develop targeted broadband training and*
 7 *presentations for various demographic communities*
 8 *through various media;*

9 *(4) develop and distribute publications (includ-*
 10 *ing toolkits, primers, manuals, and white papers)*
 11 *providing guidance, strategies, and insights to com-*
 12 *munities as the communities develop strategies to ex-*
 13 *pand broadband access and adoption; and*

14 *(5) as applicable in carrying out paragraphs (1)*
 15 *through (4), cooperate with State agencies that pro-*
 16 *vide similar broadband investments, outreach, and co-*
 17 *ordination through Federal programs.*

18 *(b) RELATION TO CURRENT BROADBAND ACTIVITIES*
 19 *OF NTIA.—The Assistant Secretary shall assign to the Of-*
 20 *fice all activities performed by the National Telecommuni-*
 21 *cations and Information Administration as of the date of*
 22 *enactment of this Act that are similar to the activities re-*
 23 *quired to be conducted by the Office under this Act.*

1 **SEC. 5. STREAMLINED APPLICATIONS FOR SUPPORT.**

2 (a) *AGENCY CONSULTATION.*—*The Office shall consult*
3 *with any agency offering a Federal broadband support pro-*
4 *gram to streamline and standardize the application process*
5 *for grants or other financial assistance from the program.*

6 (b) *AGENCY STREAMLINING.*—*Any agency offering a*
7 *Federal broadband support program shall amend the appli-*
8 *cation for broadband support from that program, to the ex-*
9 *tent practicable and as necessary, to streamline and stand-*
10 *ardize applications for Federal broadband support pro-*
11 *grams across the Federal Government.*

12 (c) *SINGLE APPLICATION.*—*To the greatest extent*
13 *practicable, the Office shall seek to create 1 application that*
14 *may be submitted to apply for all, or substantially all, Fed-*
15 *eral broadband support programs.*

16 (d) *WEBSITE REQUIRED.*—*Not later than 180 days*
17 *after the date of enactment of this Act, the Office shall create*
18 *a central website through which a potential applicant can*
19 *learn about and apply for support through any Federal*
20 *broadband support program.*

21 **SEC. 6. RULE OF CONSTRUCTION.**

22 *Nothing in this Act is intended to alter or amend any*
23 *provision of section 254 of the Communications Act of 1934*
24 *(47 U.S.C. 254).*

1 **SEC. 7. NO ADDITIONAL FUNDS AUTHORIZED.**

2 *No additional funds are authorized to be appropriated*
3 *to carry out this Act. This Act shall be carried out using*
4 *amounts otherwise authorized.*

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