

116TH CONGRESS
2D SESSION

S. 4422

To establish the Office of Minority Broadband Initiatives within the National Telecommunications and Information Administration, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 4, 2020

Mr. WICKER (for himself and Mr. SCOTT of South Carolina) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To establish the Office of Minority Broadband Initiatives within the National Telecommunications and Information Administration, 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 “Connecting Minority
5 Communities Act of 2020”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

8 (1) the term “anchor community” means any
9 area that—

1 (A) is not more than 30 miles from a his-
2 torically Black college or university, a Tribal
3 College or University, or a Hispanic-serving in-
4 stitution; and

5 (B) has an estimated median annual
6 household income of not more than 250 percent
7 of the poverty line, as that term is defined in
8 section 673(2) of the Community Services
9 Block Grant Act (42 U.S.C. 9902(2));

10 (2) the term “Assistant Secretary” means the
11 Assistant Secretary of Commerce for Communica-
12 tions and Information;

13 (3) the term “broadband internet access serv-
14 ice” has the meaning given the term in section
15 8.1(b) of title 47, Code of Federal Regulations, or
16 any successor regulation;

17 (4) the term “Commission” means the Federal
18 Communications Commission;

19 (5) the term “connected device” means a laptop
20 computer, tablet computer, or similar device that is
21 capable of connecting to broadband internet access
22 service;

23 (6) the term “Director” means the Director of
24 the Office;

25 (7) the term “eligible equipment” means—

- 1 (A) a Wi-Fi hotspot;
- 2 (B) a modem;
- 3 (C) a router;
- 4 (D) a device that combines a modem and
- 5 router;
- 6 (E) a connected device; or
- 7 (F) any other equipment used to provide
- 8 access to broadband internet access service;
- 9 (8) the term “eligible recipient” means—
- 10 (A) a historically Black college or univer-
- 11 sity;
- 12 (B) a Tribal College or University;
- 13 (C) a Hispanic-serving institution; or
- 14 (D) a consortium led by a historically
- 15 Black college or university, a Tribal College or
- 16 University, or a Hispanic-serving institution
- 17 that also includes—
- 18 (i) an elementary or secondary school;
- 19 (ii) a library;
- 20 (iii) a minority business enterprise; or
- 21 (iv) an organization described in sec-
- 22 tion 501(c)(3) of the Internal Revenue
- 23 Code of 1986 and exempt from tax under
- 24 section 501(a) of such Code;

1 (9) the term “Hispanic-serving institution” has
2 the meaning given the term in section 502(a) of the
3 Higher Education Act of 1965 (20 U.S.C.
4 1101a(a));

5 (10) the term “historically Black college or uni-
6 versity” has the meaning given the term “part B in-
7 stitution” in section 322 of the Higher Education
8 Act of 1965 (20 U.S.C. 1061);

9 (11) the term “minority business enterprise”
10 has the meaning given the term in section 1400.2 of
11 title 15, Code of Federal Regulations, or any suc-
12 cessor regulation;

13 (12) the term “Office” means the Office of Mi-
14 nority Broadband Initiatives established pursuant to
15 section 3(a);

16 (13) the term “Pilot Program” means the Con-
17 necting Minority Communities Pilot Program estab-
18 lished under the rules promulgated by the Assistant
19 Secretary under section 5(a);

20 (14) the term “Task Force” means the Con-
21 necting Minority Communities Task Force estab-
22 lished under section 4(a); and

23 (15) the term “Tribal College or University”
24 has the meaning given the term in section 316(b) of

1 the Higher Education Act of 1965 (20 U.S.C.
2 1059c(b)).

3 **SEC. 3. OFFICE OF MINORITY BROADBAND INITIATIVES.**

4 (a) ESTABLISHMENT.—Not later than 180 days after
5 the date of enactment of this Act, the Assistant Secretary
6 shall establish within the National Telecommunications
7 and Information Administration the Office of Minority
8 Broadband Initiatives.

9 (b) DIRECTOR.—The Office shall be headed by the
10 Director of the Office of Minority Broadband Initiatives,
11 who shall be appointed by the Assistant Secretary.

12 (c) DUTIES.—The Office, acting through the Direc-
13 tor, shall—

14 (1) collaborate with Federal agencies that carry
15 out broadband internet access service support pro-
16 grams to determine how to expand access to
17 broadband internet access service and other digital
18 opportunities in anchor communities;

19 (2) collaborate with State, local, and Tribal
20 governments, historically Black colleges or univer-
21 sities, Tribal Colleges or Universities, Hispanic-serv-
22 ing institutions, and stakeholders in the tele-
23 communications, education, business, and technology
24 fields to—

25 (A) promote—

1 (i) initiatives relating to broadband
2 internet access service connectivity for an-
3 chor communities; and

4 (ii) digital opportunities for anchor
5 communities;

6 (B) develop recommendations to promote
7 the rapid, expanded deployment of broadband
8 internet access service to unserved historically
9 Black colleges or universities, Tribal Colleges or
10 Universities, Hispanic-serving institutions, and
11 anchor communities, including to senior citizens
12 and veterans who live in anchor communities;

13 (C) promote activities that would accel-
14 erate the adoption of broadband internet access
15 service (including any associated equipment or
16 personnel necessary to access and use that serv-
17 ice, such as modems, routers, devices that com-
18 bine a modem and a router, Wi-Fi hotspots,
19 and connected devices)—

20 (i) by historically Black colleges or
21 universities, Tribal Colleges or Univer-
22 sities, and Hispanic-serving institutions;
23 and

24 (ii) within anchor communities;

1 (D) upon request, provide assistance to
2 historically Black colleges or universities, Tribal
3 Colleges or Universities, Hispanic-serving insti-
4 tutions, and leaders from anchor communities
5 with respect to navigating Federal programs
6 dealing with broadband internet access service;

7 (E) promote digital literacy skills, includ-
8 ing by providing opportunities for virtual or in-
9 person digital literacy training and education;
10 and

11 (F) explore how to leverage investment in
12 infrastructure with respect to broadband inter-
13 net access service to—

14 (i) expand connectivity with respect to
15 that service in anchor communities;

16 (ii) encourage investment in commu-
17 nities that have been designated as quali-
18 fied opportunity zones under section
19 1400Z–1 of the Internal Revenue Code of
20 1986; and

21 (iii) serve as a catalyst for adoption of
22 that service, so as to promote job growth
23 and economic development and deployment
24 of advanced mobile technologies;

1 (3) assume any functions carried out under the
2 Minority Broadband Initiative of the National Tele-
3 communications and Information Administration, as
4 of the day before the date of enactment of this Act;
5 and

6 (4) perform other duties, as designated by the
7 Assistant Secretary.

8 (d) REPORTS.—

9 (1) IN GENERAL.—Not later than 1 year after
10 the date on which the Assistant Secretary estab-
11 lishes the Office under subsection (a), and annually
12 thereafter, the Assistant Secretary shall submit to
13 the Committee on Commerce, Science, and Trans-
14 portation of the Senate and the Committee on En-
15 ergy and Commerce of the House of Representatives
16 a report that—

17 (A) for the year covered by the report, de-
18 tails the work of the Office in expanding access
19 to fixed and mobile broadband internet access
20 service coverage—

21 (i) at historically Black colleges or
22 universities, Tribal Colleges or Univer-
23 sities, and Hispanic-serving institutions;
24 and

25 (ii) within anchor communities; and

1 (B) identifies barriers to providing
2 broadband internet access service—

3 (i) at historically Black colleges or
4 universities, Tribal Colleges or Univer-
5 sities, and Hispanic-serving institutions;
6 and

7 (ii) within anchor communities.

8 (2) PUBLIC AVAILABILITY.—Not later than 30
9 days after the date on which the Assistant Secretary
10 submits a report under paragraph (1), the Assistant
11 Secretary shall, to the extent feasible, make that re-
12 port publicly available.

13 **SEC. 4. TASK FORCE.**

14 (a) IN GENERAL.—The Assistant Secretary shall es-
15 tablish the Connecting Minority Communities Task Force
16 to advise the Office on matters relating to expanding
17 broadband internet access service to historically Black col-
18 leges or universities, Tribal Colleges or Universities, His-
19 panic-serving institutions, and anchor communities.

20 (b) MEMBERSHIP.—

21 (1) IN GENERAL.—The Task Force shall—

22 (A) be composed of not more than 15 vot-
23 ing members—

1 (i) who, subject to subparagraph (B),
 2 shall be selected by the Assistant Sec-
 3 retary; and

4 (ii) 1 of whom shall be designated by
 5 the Assistant Secretary as the Chair of the
 6 Task Force; and

7 (B) include representatives (who shall be
 8 fairly balanced with respect to technologies,
 9 points of view, and fields represented) from—

10 (i) historically Black colleges or uni-
 11 versities;

12 (ii) Tribal Colleges or Universities;

13 (iii) Hispanic-serving institutions;

14 (iv) anchor communities;

15 (v) minority business enterprises;

16 (vi) internet service providers, includ-
 17 ing regional or rural fixed and mobile
 18 broadband internet access service providers
 19 and telecommunications infrastructure pro-
 20 viders;

21 (vii) the electric cooperative industry;

22 (viii) the satellite industry;

23 (ix) State and local governments; and

24 (x) civil rights organizations.

25 (2) PERIOD OF APPOINTMENT; VACANCIES.—

1 (A) IN GENERAL.—Each member of the
2 Task Force shall serve for a single term of 2
3 years.

4 (B) VACANCY.—Any vacancy in the Task
5 Force—

6 (i) shall not affect the powers of the
7 Task Force; and

8 (ii) shall be filled in the same manner
9 as the original appointment.

10 (C) EX-OFFICIO MEMBER.—The Chairman
11 of the Commission, or a designee of the Chair-
12 man, shall serve as an ex-officio, nonvoting
13 member of the Task Force.

14 (c) APPLICABILITY OF FEDERAL ADVISORY COM-
15 MITTEE ACT.—The Federal Advisory Committee Act (5
16 U.S.C. App.) shall not apply with respect to the Task
17 Force or the activities of the Task Force.

18 **SEC. 5. CONNECTING MINORITY COMMUNITIES PILOT PRO-**
19 **GRAM.**

20 (a) RULES REQUIRED.—

21 (1) IN GENERAL.—Not later than 180 days
22 after the date of enactment of this Act, the Assist-
23 ant Secretary shall promulgate rules establishing the
24 Connecting Minority Communities Pilot Program,
25 the purpose of which shall be to provide grants to

1 eligible recipients in anchor communities for the pur-
2 chase of broadband internet access service or any el-
3 igible equipment, or to hire information technology
4 personnel—

5 (A) to facilitate educational instruction
6 and learning, including through remote instruc-
7 tion;

8 (B) in the case of an eligible recipient de-
9 scribed in section 2(8)(D)(iii), to operate the
10 minority business enterprise; or

11 (C) in the case of an eligible recipient de-
12 scribed in section 2(8)(D)(iv), to operate the or-
13 ganization.

14 (2) CONTENT.—The rules promulgated under
15 paragraph (1) shall—

16 (A) establish a method for identifying
17 which eligible recipients in anchor communities
18 have the greatest unmet financial needs;

19 (B) ensure that grants under the Pilot
20 Program are made—

21 (i) to eligible recipients identified
22 under the method established under sub-
23 paragraph (A); and

24 (ii) in a manner that best achieves the
25 purposes of the Pilot Program;

1 (C) provide that a recipient of a grant
2 under the Pilot Program—

3 (i) shall use eligible equipment for a
4 purpose that the recipient considers to be
5 appropriate, subject to any restriction pro-
6 vided in those rules (or any successor
7 rules);

8 (ii) if the recipient lends, or otherwise
9 provides, eligible equipment to students or
10 patrons, shall prioritize lending or pro-
11 viding to such individuals that the recipi-
12 ent believes do not have access to that
13 equipment, subject to any restriction pro-
14 vided in those rules (or any successor
15 rules); and

16 (iii) may not sell or otherwise transfer
17 eligible equipment in exchange for any
18 thing (including a service) of value; and

19 (D) include audit requirements that—

20 (i) ensure that a recipient of a grant
21 made under the Pilot Program uses grant
22 funds in compliance with the requirements
23 of this section and the overall purpose of
24 the Pilot Program; and

1 (ii) prevent waste, fraud, and abuse in
2 the operation of the Pilot Program.

3 (b) FUND.—

4 (1) ESTABLISHMENT.—There is established in
5 the Treasury of the United States a fund to be
6 known as the Connecting Minority Communities
7 Fund.

8 (2) USE OF FUND.—Amounts in the Con-
9 necting Minority Communities Fund established
10 under paragraph (1) shall be available to the Assist-
11 ant Secretary to provide support under the rules
12 promulgated under subsection (a).

13 (c) INTERAGENCY COORDINATION.—When making
14 grants under the Pilot Program, the Assistant Secretary
15 shall coordinate with other Federal agencies, including the
16 Commission and the Department of Education.

17 (d) AUDITS.—

18 (1) IN GENERAL.—For each of fiscal years
19 2021 and 2022, the Inspector General of the De-
20 partment of Commerce shall conduct an audit of the
21 Pilot Program according to the requirements estab-
22 lished under subsection (a)(2)(D).

23 (2) REPORT.—After completing each audit con-
24 ducted under paragraph (1), the Inspector General
25 of the Department of Commerce shall submit to the

1 Committee on Commerce, Science, and Transpor-
2 tation of the Senate and the Committee on Energy
3 and Commerce of the House of Representatives a re-
4 port that details the findings of the audit.

5 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
6 authorized to be appropriated to the Connecting Minority
7 Communities Fund established under subsection (b)
8 \$100,000,000 for fiscal year 2020, which shall remain
9 available until expended.

10 (f) TERMINATION.—The Pilot Program, including all
11 reporting requirements under this section (except for the
12 report required under subsection (g)), shall terminate on
13 the date on which the amounts made available to carry
14 out the Pilot Program are fully expended.

15 (g) REPORT.—Not later than 90 days after the date
16 on which the Pilot Program terminates under subsection
17 (f), the Assistant Secretary, after consulting with the Task
18 Force and eligible recipients that received grants under
19 the Pilot Program, shall submit to the Committee on Com-
20 merce, Science, and Transportation of the Senate and the
21 Committee on Energy and Commerce of the House of
22 Representatives a report that—

23 (1) describes the manner in which the Pilot
24 Program was carried out;

1 (2) identifies each eligible recipient that re-
2 ceived a grant under the Pilot Program; and

3 (3) contains—

4 (A) information regarding the effectiveness
5 of the Pilot Program;

6 (B) recommendations regarding how the
7 capacity of the Pilot Program could be ex-
8 panded, including an expansion to include as in-
9 stitutions that are eligible to receive grants
10 under the Pilot Program—

11 (i) Alaska Native-serving institutions
12 and Native Hawaiian-serving institutions,
13 as those terms are defined in section
14 317(b) of the Higher Education Act of
15 1965 (20 U.S.C. 1059d(b)); and

16 (ii) Asian American and Native Amer-
17 ican Pacific Islander-serving institutions,
18 as that term is defined in section 320(b) of
19 the Higher Education Act of 1965 (20
20 U.S.C. 1059g(b)); and

21 (C) an estimate of the cost of funding the
22 expansion described in subparagraph (B).

○