

116TH CONGRESS
1ST SESSION

H. R. 2661

To amend the Rural Electrification Act of 1936 to provide requirements on the use of assistance for broadband deployment, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2019

Mr. TIPTON (for himself and Mr. GOSAR) 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 provide requirements on the use of assistance for broadband deployment, 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 “Reprioritizing
5 Unserved Rural Areas and Locations for Broadband Act
6 of 2019” and the “RURAL Broadband Act of 2019”.

1 **SEC. 2. USE OF ASSISTANCE FOR DEPLOYMENT OF**
2 **BROADBAND INFRASTRUCTURE.**

3 Title VI of the Rural Electrification Act of 1936 (7
4 U.S.C. 950bb et seq.) is amended by adding at the end
5 the following:

6 **“SEC. 607. USE OF ASSISTANCE FOR DEPLOYMENT OF**
7 **BROADBAND INFRASTRUCTURE.**

8 “(a) **DEFINITION OF QUALIFYING BROADBAND-CA-**
9 **PABLE INFRASTRUCTURE.**—In this section, the term
10 ‘qualifying broadband-capable infrastructure’ means fixed
11 terrestrial broadband-capable infrastructure—

12 “(1) used by a service provider to provide fixed
13 terrestrial broadband service for which the service
14 provider receives universal service support under sec-
15 tion 254 of the Communications Act of 1934 (47
16 U.S.C. 254), if—

17 “(A) the broadband service satisfies the
18 current speed benchmark for fixed services es-
19 tablished by the FCC under section 706 of the
20 Telecommunications Act of 1996 (47 U.S.C.
21 1302); or

22 “(B) the service provider is in compliance
23 with buildout obligations in the relevant area to
24 provide retail fixed terrestrial broadband service
25 that will comply with the applicable broadband

1 speed standard described in subparagraph (A);

2 or

3 “(2) that—

4 “(A) was financed with funds provided by
5 the Secretary under this Act or any other pro-
6 gram carried out by the Secretary for the costs
7 of the construction, improvement, or acquisition
8 of facilities or equipment for the purpose of
9 providing fixed terrestrial telecommunications
10 or broadband service; and

11 “(B)(i) is used to provide fixed terrestrial
12 broadband service, if—

13 “(I) the broadband service satisfies
14 any applicable broadband speed standards
15 established by the Secretary; or

16 “(II) the service provider is in compli-
17 ance with buildout obligations in the rel-
18 evant area to provide retail fixed terrestrial
19 broadband service that will comply with
20 the applicable broadband speed standards
21 described in subclause (I); or

22 “(ii) was financed with a loan under this
23 Act or any other program carried out by the
24 Secretary that remains outstanding for the pur-

1 pose of providing fixed terrestrial telecommuni-
2 cations or broadband service.

3 “(b) RESTRICTION ON USE OF ASSISTANCE.—A loan,
4 grant, or other assistance awarded under this Act, or by
5 the rural development mission area under the Consoli-
6 dated Farm and Rural Development Act (7 U.S.C. 1921
7 et seq.), may not be used to coordinate, approve, or fi-
8 nance the deployment of broadband-capable infrastructure
9 by a service provider to provide retail fixed broadband
10 service that would overbuild or otherwise duplicate quali-
11 fying broadband-capable infrastructure that another serv-
12 ice provider is using to provide retail fixed terrestrial
13 broadband service in the same geographic area.

14 “(c) USE OF ASSISTANCE IN UNSERVED AREAS.—
15 A loan, grant, or other assistance provided by the Sec-
16 retary hereunder, acting through the Administrator of the
17 Rural Utilities Service, to coordinate, approve, or finance
18 the deployment of broadband-capable infrastructure by a
19 service provider may be used to provide retail fixed
20 broadband service only in a geographic area in which there
21 is no qualifying broadband-capable infrastructure owned
22 or operated by another service provider.”.

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