

112TH CONGRESS
1ST SESSION

H. R. 1083

To amend the Rural Electrification Act of 1936 to establish an Office of Rural Broadband Initiatives in the Department of Agriculture, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 15, 2011

Mr. OWENS 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 establish an Office of Rural Broadband Initiatives in the Department of Agriculture, 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 “Rural Broadband Ini-
5 tiative Act”.

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

7 (a) IN GENERAL.—Title VI of the Rural Electrifica-
8 tion Act of 1936 (7 U.S.C. 950bb et seq.) is amended—

1 (1) by redesignating sections 601 and 602 as
2 sections 603 and 604, respectively; and

3 (2) by inserting before section 603 (as so reded-
4 igned) the following new sections:

5 **“SEC. 601. DEFINITIONS.**

6 “In this title:

7 “(1) OFFICE.—The term ‘Office’ means the Of-
8 fice of Rural Broadband Initiatives established by
9 section 602(a)(1).

10 “(2) UNDER SECRETARY.—The term ‘Under
11 Secretary’ means the Under Secretary for Rural
12 Broadband Initiatives appointed under section
13 602(a)(2).

14 **“SEC. 602. OFFICE OF RURAL BROADBAND INITIATIVES.**

15 “(a) ESTABLISHMENT.—

16 “(1) IN GENERAL.—There is established in the
17 Department of Agriculture an office to be known as
18 the ‘Office of Rural Broadband Initiatives’.

19 “(2) UNDER SECRETARY.—The head of the Of-
20 fice shall be the Under Secretary for Rural
21 Broadband Initiatives, who shall—

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

24 “(B) report directly to the Secretary.

25 “(b) RESPONSIBILITIES.—

1 “(1) IN GENERAL.—The Under Secretary
2 shall—

3 “(A) as of the date of enactment of this
4 section, administer all rural broadband-related
5 grant and loan programs previously adminis-
6 tered by the Administrator of the Rural Utili-
7 ties Service, including—

8 “(i) the rural broadband access loan
9 and loan guarantee program established
10 under section 603; and

11 “(ii) the Community Connect Grant
12 Program described in subpart A of part
13 1739 of title 7, Code of Federal Regula-
14 tions (or successor regulations).

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

17 “(A) conduct extensive, nationwide out-
18 reach to rural areas;

19 “(B) foster the development of a com-
20 prehensive rural broadband strategic vision;

21 “(C) plan coordination of Federal re-
22 sources for State, regional, and local govern-
23 ments to assist citizens living and working in
24 rural areas;

1 “(D) assess all relevant technologies (in-
2 cluding WiFi, WIMAX, DSL, cable, satellite,
3 fiber, and broadband over power lines), as the
4 technologies are able to support in whole or in
5 part rural broadband needs and requirements;

6 “(E) serve as a single information source
7 for all rural broadband programs and services
8 administered by Federal agencies; and

9 “(F) provide technical assistance to State,
10 regional, and local governments to develop
11 broadband deployment strategies.

12 “(c) COMPREHENSIVE RURAL BROADBAND STRAT-
13 EGY.—

14 “(1) IN GENERAL.—Not later than 180 days
15 after the appointment of the first Under Secretary,
16 the Under Secretary shall submit to the President
17 and Congress a report describing comprehensive
18 rural broadband strategy that includes—

19 “(A) recommendations—

20 “(i) to promote interagency coordina-
21 tion of Federal agencies in regards to poli-
22 cies, procedures, and targeted resources,
23 and to improve and streamline the policies,
24 programs, and services;

1 “(ii) to coordinate among Federal
2 agencies regarding existing rural broad-
3 band or rural initiatives that could be of
4 value to rural broadband development;

5 “(iii) to address both short- and long-
6 term solutions and needs assessments for a
7 rapid build-out of rural broadband solu-
8 tions and applications for Federal, State,
9 regional, and local government policy mak-
10 ers;

11 “(iv) to identify how specific Federal
12 agency programs and resources can best
13 respond to rural broadband requirements
14 and overcome obstacles that currently im-
15 pede rural broadband deployment; and

16 “(v) to promote successful model de-
17 ployments and appropriate technologies
18 being used in rural areas so that State, re-
19 gional, and local governments can benefit
20 from the cataloging of successes of other
21 State, regional, and local governments; and

22 “(B) a description of goals and timeframes
23 to achieve the strategic plans and visions identi-
24 fied in the report.

1 “(2) UPDATES.—The Under Secretary shall up-
2 date and evaluate the report described in paragraph
3 (1) on an annual basis.

4 “(d) RURAL BROADBAND ADVISORY PANEL.—

5 “(1) IN GENERAL.—Not later than 60 days
6 after the date of appointment of the first Under Sec-
7 retary, the Under Secretary shall submit to Con-
8 gress a plan to establish a Rural Broadband Advi-
9 sory Panel (referred to in this subsection as the
10 ‘Panel’).

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

13 “(3) MEMBERSHIP.—The Panel shall be com-
14 posed of representatives of—

15 “(A) State government;

16 “(B) local government;

17 “(C) communications equipment vendors
18 (including broadband data service providers);

19 “(D) public utility services;

20 “(E) local exchange carriers;

21 “(F) wireless carriers;

22 “(G) satellite communications services; and

23 “(H) other appropriate public or private
24 sector entities, as determined by the Under Sec-
25 retary.

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

3 “(5) DUTIES.—The Advisory Panel shall—

4 “(A) assist the Under Secretary in updat-
5 ing the annual report described in subsection
6 (c)(2);

7 “(B) evaluate the effectiveness of all Fed-
8 eral broadband assistance programs and policies
9 aimed at fostering broadband access in rural
10 and underserved areas;

11 “(C) evaluate best practices employed at
12 the State and local government level to foster
13 broadband access in rural and underserved
14 areas; and

15 “(D) cooperate with the Under Secretary
16 in addressing and evaluating issues determined
17 by the Under Secretary to be critical to fos-
18 tering broadband access and connectivity in
19 rural and underserved areas.

20 “(e) WEB-BASED CLEARINGHOUSE.—The Under
21 Secretary shall establish a comprehensive and interactive
22 rural broadband Web-based clearinghouse that describes
23 options, opportunities, resources, successful public-private
24 partnerships, comprehensive funding sources, and tech-
25 nology tutorials for rural broadband, including—

- 1 “(1) case studies;
- 2 “(2) descriptions of best practices;
- 3 “(3) assessments of various technology solu-
- 4 tions;
- 5 “(4) feasibility studies;
- 6 “(5) applications, including telework, telemedi-
- 7 cine, distance learning, training, homeland security,
- 8 senior citizen connectivity and program development,
- 9 and business and economic development;
- 10 “(6) rural broadband options and policies anal-
- 11 ysis; and
- 12 “(7) support for networks among rural commu-
- 13 nities and economic development agencies.”.

14 (b) CONFORMING AMENDMENTS.—Section 603 of the

15 Rural Electrification Act of 1936 (as redesignated by sub-

16 section (a)(1)) is amended—

17 (1) in subsection (d)(1)(B), by striking “sub-

18 section (k)” and inserting “subsection (l)”;

19 (2) in subsection (j), by striking “Adminis-

20 trator” and inserting “Under Secretary”;

21 (3) by redesignating subsections (k) and (l) as

22 subsections (l) and (m), respectively; and

23 (4) by inserting after subsection (j) the fol-

24 lowing:

25 “(k) RULES REVISION.—

1 “(1) IN GENERAL.—Not later than 60 days
2 after the date of appointment of the first Under Sec-
3 retary, the Under Secretary shall submit to Con-
4 gress a revision of the rules and qualification criteria
5 for the loan and loan guarantee programs under this
6 section.

7 “(2) REQUIREMENTS.—In preparing the revi-
8 sion, the Under Secretary shall—

9 “(A) emphasize streamlining the applica-
10 tion process and processing time;

11 “(B) ensure that the financial require-
12 ments for applicants do not unduly disqualify
13 applicants that have demonstrated a viable
14 business plan; and

15 “(C) not diminish the mission of the pro-
16 gram to deliver broadband service to under-
17 served rural areas.”.

18 **SEC. 3. SUFFICIENCY OF RESOURCES.**

19 (a) IN GENERAL.—Not later than 60 days after the
20 date of enactment of this Act, the Secretary of Agriculture
21 shall submit to Congress a report describing the resources
22 and staff necessary to carry out this Act and the amend-
23 ments made by this Act.

1 (b) PREPARATION OF REPORT.—The Secretary shall
2 provide the Office of Rural Broadband Initiatives the re-
3 sources and staff necessary to carry out this section.

4 (c) COMPTROLLER GENERAL REVIEW.—

5 (1) IN GENERAL.—The Comptroller General of
6 the United States shall review the report submitted
7 under subsection (a) for validity.

8 (2) REPORT.—Not later than 30 days after the
9 date on which the report is submitted under sub-
10 section (a), the Comptroller General of the United
11 States shall submit to Congress a report containing
12 the findings of the review under paragraph (1).

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