

115TH CONGRESS
1ST SESSION

H. R. 800

To establish the Office of Rural Broadband Initiatives within the Department of Agriculture, to preserve open Internet requirements, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 2017

Mr. HUFFMAN (for himself, Mr. POCAN, and Mr. NOLAN) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committees on Natural Resources, and 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 establish the Office of Rural Broadband Initiatives within the Department of Agriculture, to preserve open Internet requirements, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “New Deal Rural Broadband Act of 2017”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

- Sec. 2. Office of Rural Broadband Initiatives.
 Sec. 3. Breaking Ground on Rural Broadband Program.
 Sec. 4. Tribal broadband assistance program.
 Sec. 5. Telecommunications loan and loan guarantee program.
 Sec. 6. Modifications to existing rural broadband programs.
 Sec. 7. Inventory of Federal and State assets.
 Sec. 8. Retention of rental fees associated with communications use authorizations on Federal lands.

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

2 (a) ESTABLISHMENT.—Title VI of the Rural Elec-
 3 trification Act of 1936 (7 U.S.C. 950bb et seq.) is amend-
 4 ed—

5 (1) by redesignating sections 601 through 603
 6 as sections 603 through 605, respectively; and

7 (2) by inserting before section 603 (as so reded-
 8 icated) the following new sections:

9 **“SEC. 601. DEFINITIONS.**

10 “In this title:

11 “(1) OFFICE.—The term ‘Office’ means the Of-
 12 fice of Rural Broadband Initiatives established
 13 under section 602(a)(1).

14 “(2) PANEL.—The term ‘Panel’ means the
 15 Rural Broadband Advisory Panel established pursu-
 16 ant to section 602(d).

17 “(3) UNDER SECRETARY.—The term ‘Under
 18 Secretary’ means the Under Secretary for Rural
 19 Broadband Initiatives appointed under section
 20 602(a)(2).

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

2 “(a) ESTABLISHMENT.—

3 “(1) IN GENERAL.—There is established in the
4 Department of Agriculture the Office of Rural
5 Broadband Initiatives.

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

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

11 “(B) report directly to the Secretary.

12 “(b) RESPONSIBILITIES.—

13 “(1) IN GENERAL.—The Under Secretary shall
14 administer all rural and underserved areas
15 broadband-related grant, loan, and loan guarantee
16 programs administered by the Administrator of the
17 Rural Utilities Service as of the date of the enact-
18 ment of this section, including—

19 “(A) the rural broadband access loan, loan
20 guarantee, and grant program under section
21 603;

22 “(B) the breaking ground on rural
23 broadband program under section 606;

24 “(C) the tribal broadband assistance pro-
25 gram under section 607;

1 “(D) the Community Connect Grant Pro-
2 gram described in subpart A of part 1739 of
3 title 7, Code of Federal Regulations (or suc-
4 cessor regulations); and

5 “(E) loans under title II.

6 “(2) REQUIREMENTS.—The Under Secretary
7 shall—

8 “(A) conduct extensive, nationwide out-
9 reach to rural and underserved areas;

10 “(B) develop a comprehensive strategy for
11 broadband in rural and underserved areas;

12 “(C) coordinate Federal resources for
13 State, regional, and local governments to pro-
14 vide broadband assistance to citizens living and
15 working in rural and underserved areas;

16 “(D) assess all relevant technologies (in-
17 cluding WiFi, WIMAX, DSL, cable, satellite,
18 fiber, and broadband over power lines), to de-
19 termine if such technologies are able to support
20 in whole or in part rural broadband require-
21 ments;

22 “(E) establish and maintain the Web-based
23 clearinghouse described in subsection (e);

24 “(F) coordinate Federal rural broadband
25 programs; and

1 “(G) provide technical assistance to State,
2 regional, and local governments to develop de-
3 ployment strategies for broadband in rural and
4 underserved areas.

5 “(c) COMPREHENSIVE RURAL BROADBAND STRAT-
6 EGY.—

7 “(1) REPORT REQUIRED.—Not later than 180
8 days after the date of the appointment of the first
9 Under Secretary under subsection (a), and annually
10 thereafter, the Under Secretary shall submit to the
11 President and to the Committees on Agriculture and
12 Energy and Commerce of the House of Representa-
13 tives and the Committees on Agriculture, Nutrition,
14 and Forestry and Commerce, Science, and Transpor-
15 tation of the Senate, a report describing a com-
16 prehensive strategy for broadband in rural and un-
17 derserved areas that includes—

18 “(A) recommendations—

19 “(i) to promote interagency coordina-
20 tion between Federal agencies with respect
21 to policies, procedures, targeted resources,
22 and existing rural and underserved areas
23 broadband programs;

24 “(ii) to improve and streamline the
25 Federal policies, programs, and services re-

1 lating to rural and underserved areas
2 broadband technologies;

3 “(iii) to specify how Federal agency
4 programs and resources can meet rural
5 and underserved area broadband require-
6 ments; and

7 “(iv) to promote successful model de-
8 ployments and appropriate technology use
9 in rural and underserved areas so that
10 State, regional, and local governments can
11 benefit from the cataloging of successes of
12 other State, regional, and local govern-
13 ments;

14 “(B) a needs assessment for the implemen-
15 tation of rural and underserved areas
16 broadband; and

17 “(C) a strategic plan for comprehensive
18 rural and underserved areas broadband and a
19 description of the amount of time needed to
20 achieve such strategic plan.

21 “(2) ANNUAL REPORT UPDATE.—The Under
22 Secretary shall update the report required under
23 paragraph (1) on an annual basis.

24 “(d) RURAL BROADBAND ADVISORY PANEL.—

1 “(1) IN GENERAL.—Not later than 60 days
2 after the date of appointment of the first Under Sec-
3 retary under subsection (a), the Under Secretary
4 shall submit to the Committees on Agriculture and
5 Energy and Commerce of the House of Representa-
6 tives and the Committees on Agriculture, Nutrition,
7 and Forestry and Commerce, Science, and Transpor-
8 tation of the Senate, a plan to establish a Rural
9 Broadband Advisory Panel.

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

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

15 “(A) State governments;

16 “(B) local governments;

17 “(C) tribal governments;

18 “(D) communications equipment vendors
19 (including broadband data service providers);

20 “(E) public utility services;

21 “(F) local exchange carriers;

22 “(G) wireless carriers;

23 “(H) satellite communications services;

24 and

1 “(I) other entities, as determined by the
2 Under Secretary.

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

5 “(5) DUTIES.—The Panel shall—

6 “(A) assist the Under Secretary in the an-
7 nual report update under subsection (c)(2);

8 “(B) evaluate the effectiveness of all Fed-
9 eral broadband assistance programs and policies
10 with respect to providing broadband access in
11 rural and underserved areas;

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

16 “(e) WEB-BASED CLEARINGHOUSE.—The Under
17 Secretary shall establish and maintain a comprehensive
18 and interactive rural broadband Web-based clearinghouse
19 of resources for rural and underserved areas broadband,
20 including—

21 “(1) successful public-private partnerships;

22 “(2) funding sources;

23 “(3) technology tutorials;

24 “(4) descriptions of best practices;

1 “(5) assessments of various technology solu-
2 tions;

3 “(6) case studies and feasibility studies;

4 “(7) descriptions of the applications of
5 broadband in rural and underserved areas, including
6 telework, telemedicine, distance learning, training,
7 homeland security, senior citizen connectivity and
8 program development, and business and economic
9 development;

10 “(8) analyses of broadband policies in rural and
11 underserved areas; and

12 “(9) supports for networks among rural and
13 underserved communities and economic development
14 agencies.”.

15 (b) CONFORMING AMENDMENTS.—Section 603 of the
16 Rural Electrification Act of 1936, as redesignated by sub-
17 section (a)(1), is amended by striking “Administrator”
18 and inserting “Under Secretary”.

19 (c) IN GENERAL.—Not later than 60 days after the
20 date of the appointment of the first Under Secretary
21 under section 602(a) of title VI of the Rural Electrifica-
22 tion Act of 1936 (7 U.S.C. 950bb et seq.), as amended
23 by this Act, the Secretary of Agriculture shall issue regula-
24 tions with respect to the qualification criteria for the loan
25 and loan guarantee programs under such title that—

1 (1) emphasize streamlining the application
2 process and processing time;

3 (2) ensure that the financial requirements for
4 applicants do not unduly disqualify applicants that
5 have demonstrated a viable business plan; and

6 (3) do not diminish the mission of the program
7 to deliver broadband service to rural and under-
8 served areas.

9 (d) IMPLEMENTATION REPORT.—

10 (1) IN GENERAL.—Not later than 60 days after
11 the date of enactment of this Act, the Secretary of
12 Agriculture shall submit to Congress a report de-
13 scribing the resources and staff necessary to carry
14 out this section and the amendments made by this
15 section.

16 (2) COMPTROLLER GENERAL REVIEW.—

17 (A) IN GENERAL.—The Comptroller Gen-
18 eral of the United States shall review the report
19 submitted under paragraph (1) for validity.

20 (B) REPORT.—Not later than 30 days
21 after the date on which the report is submitted
22 under paragraph (1), the Comptroller General
23 of the United States shall submit to Congress
24 a report containing the findings of the review
25 under subparagraph (A).

1 **SEC. 3. BREAKING GROUND ON RURAL BROADBAND PRO-**
2 **GRAM.**

3 Title VI of the Rural Electrification Act of 1936 (7
4 U.S.C. 950bb et seq.), as amended by section 2, is further
5 amended by adding at the end the following new section:

6 **“SEC. 606. BREAKING GROUND ON RURAL BROADBAND**
7 **PROGRAM.**

8 “(a) GRANTS, LOANS, AND LOAN GUARANTEES.—

9 “(1) IN GENERAL.—The Under Secretary, in
10 consultation with the Federal Communications Com-
11 mission and other relevant Federal agencies, shall
12 establish the breaking ground on rural broadband
13 program to make grants, loans, or loan guarantees
14 to eligible entities for broadband programs to, with
15 respect to rural and underserved areas—

16 “(A) acquire equipment, instrumentation,
17 networking capability, hardware and software,
18 digital network technology, and infrastructure
19 for broadband services;

20 “(B) construct and deploy broadband serv-
21 ice related infrastructure;

22 “(C) ensure access to broadband service by
23 community anchor institutions;

24 “(D) facilitate access to broadband service
25 to low-income, unemployed, aged, and otherwise
26 vulnerable populations;

1 “(E) construct and deploy broadband fa-
2 cilities that improve public safety;

3 “(F) provide broadband communications
4 services; and

5 “(G) such other activities the Under Sec-
6 retary determines appropriate.

7 “(2) AWARD LOCATIONS.—To the extent prac-
8 tical, the Under Secretary shall award not less than
9 one grant, loan, or loan guarantee under this section
10 to an eligible entity located in each State.

11 “(3) CONSULTATION.—The Under Secretary
12 shall consult a State with respect to—

13 “(A) identifying areas in need of
14 broadband programs located in the State; and

15 “(B) the allocation of grant funds and
16 loans and loan guarantees for broadband pro-
17 grams within the State.

18 “(b) EXPIRATION OF PROGRAM.—The Under Sec-
19 retary may not award grants, loans, or loan guarantees
20 under this section on a date that is after September 30,
21 2022.

22 “(c) APPLICATION.—To receive a grant, loan, or loan
23 guarantee under this section, an eligible entity shall sub-
24 mit an application to the Under Secretary at such time,
25 in such manner, and containing such information as the

1 Under Secretary may require, including a description of
2 how—

3 “(1) the eligible entity will use funds awarded
4 under this section;

5 “(2) such funds are necessary to implement the
6 broadband program;

7 “(3) the broadband program will comply with
8 all applicable Federal, State, and local laws;

9 “(4) the eligible entity will meet the non-Fed-
10 eral funds requirements under subsection (e), includ-
11 ing the source and amount of such other funding;
12 and

13 “(5) the eligible entity will accomplish the
14 broadband program goals not later than to 5 years
15 after receiving an award under this section.

16 “(d) PRIORITY.—In awarding grants, loans, or loan
17 guarantees under this section, the Under Secretary may
18 give priority to—

19 “(1) a broadband program that—

20 “(A) will serve the largest population by—

21 “(i) increasing the affordability and
22 number of subscribers;

23 “(ii) increasing broadband speed; or

24 “(iii) enhancing healthcare delivery,
25 education, or services for children; and

1 “(B) will serve a rural area (as such term
2 is defined in section 203(b)); and

3 “(2) an eligible entity that is a socially and eco-
4 nomically disadvantaged small business concern as
5 defined under section 8(a) of the Small Business Act
6 (15 U.S.C. 637(a)).

7 “(e) NON-FEDERAL FUNDS REQUIREMENTS.—

8 “(1) IN GENERAL.—Except as provided in para-
9 graph (2), the recipient of a grant under this section
10 shall provide funds, in-kind contributions, or a com-
11 bination of both, from sources other than funds pro-
12 vided through such grant in an amount that is at
13 least equal to 20 percent of the amount of such
14 grant.

15 “(2) EXCEPTION.—The Under Secretary may
16 provide a waiver to the requirements of paragraph
17 (1) to an eligible entity that—

18 “(A) submits an application for such waiv-
19 er, at such time, in such manner, and con-
20 taining such information as the Under Sec-
21 retary may require; and

22 “(B) demonstrates financial need.

23 “(f) DEOBLIGATE FUNDS.—In addition to other au-
24 thority under applicable law, the Under Secretary may

1 deobligate awards under this section if an eligible entity
2 demonstrates—

3 “(1) an insufficient level of performance; or

4 “(2) wasteful or fraudulent spending (as de-
5 fined by the Under Secretary).

6 “(g) REPORTS BY AWARD RECIPIENTS.—At such
7 time as may be determined by the Under Secretary, an
8 eligible entity that receives a grant, loan, or loan guar-
9 antee under this section shall submit to the Under Sec-
10 retary a report that includes a description of the use of
11 funds made available pursuant to this section.

12 “(h) REPORTS TO CONGRESS.—Not later than 180
13 days after the date on which funds are first made available
14 to carry out this section under subsection (k), and once
15 each 180 days thereafter until the expiration of the pro-
16 gram under subsection (b), the Under Secretary shall sub-
17 mit to the Committees on Appropriations of the House
18 of Representatives and the Senate, the Committees on Ag-
19 riculture and Energy and Commerce of the House of Rep-
20 resentatives, and the Committees on Agriculture, Nutri-
21 tion, and Forestry and Commerce, Science, and Transpor-
22 tation of the Senate, a report that includes—

23 “(1) the number of grants, loans, and loan
24 guarantees applied for and provided under this sec-
25 tion;

1 “(2) the communities proposed to be served in
2 each grant, loan, or loan guarantee application sub-
3 mitted in 180 days before the date such report is
4 submitted;

5 “(3) the period of time required to approve
6 each grant, loan, or loan guarantee application
7 under this section;

8 “(4) any outreach activities carried out by the
9 Under Secretary to encourage entities in rural and
10 underserved areas to submit applications under this
11 section; and

12 “(5) each broadband service, including the type
13 and speed of broadband service, for which assistance
14 was sought, and each broadband service for which
15 assistance was provided, under this section.

16 “(i) DATABASE.—Not later than 180 days after the
17 date on which funds are first made available to carry out
18 this section under subsection (k), the Under Secretary
19 shall establish and maintain a fully searchable database,
20 accessible on the Internet at no cost to the public, that
21 includes—

22 “(1) a list of—

23 “(A) each entity that has applied for an
24 award under this section; and

1 “(B) each eligible entity that has received
2 an award under this section;

3 “(2) a description of each application under this
4 section, and the status of each application;

5 “(3) the purpose for which each eligible entity
6 is receiving funds under this section; and

7 “(4) each report submitted under subsection
8 (h).

9 “(j) ELIGIBLE ENTITY DEFINED.—In this section,
10 the term ‘eligible entity’ means—

11 “(1) a State or political subdivision thereof, the
12 District of Columbia, a territory or possession of the
13 United States, an Indian tribe (as defined in section
14 4 of the Indian Self-Determination and Education
15 Assistance Act (25 U.S.C. 5304)) or native Hawai-
16 ian organization;

17 “(2) a nonprofit organization; or

18 “(3) any other entity the Under Secretary de-
19 termines to be in the public interest.

20 “(k) AUTHORIZATION OF APPROPRIATIONS.—There
21 is authorized to be appropriated to the Secretary of Agri-
22 culture to carry out this section \$20,000,000,000 to re-
23 main available until September 30, 2022.”.

1 **SEC. 4. TRIBAL BROADBAND ASSISTANCE PROGRAM.**

2 Title VI of the Rural Electrification Act of 1936 (7
3 U.S.C. 950bb et seq.), is amended by inserting after sec-
4 tion 606, as added by section 3, the following new section:

5 **“SEC. 607. TRIBAL BROADBAND ASSISTANCE PROGRAM.**

6 “(a) IN GENERAL.—The Under Secretary shall make
7 grants, loans, or loan guarantees to entities to—

8 “(1) plan, construct, acquire, or improve facili-
9 ties or equipment for the purpose of providing
10 broadband service on tribal lands;

11 “(2) provide broadband service on tribal lands;

12 “(3) develop among tribal members technical
13 expertise related to broadband service; and

14 “(4) improve the adoption of broadband service
15 by individuals on tribal lands.

16 “(b) APPLICATION.—An entity desiring financial as-
17 sistance under this section shall submit an application to
18 the Under Secretary at such time, in such manner, and
19 containing such information as the Under Secretary may
20 require, including—

21 “(1) a description of the ability of the entity to
22 furnish the minimum acceptable level of broadband
23 service for tribal lands; and

24 “(2) an assurance that the entity will submit a
25 report, at such time, in such manner, and containing

1 such information as the Under Secretary may speci-
2 fy, that describes—

3 “(A) the use by the entity of funds under
4 this section; and

5 “(B) the provision by the entity of
6 broadband service on tribal lands using such as-
7 sistance, including—

8 “(i) the number and location of resi-
9 dences and businesses that receive im-
10 proved broadband service as a result of
11 such assistance; and

12 “(ii) the average price and speed of
13 broadband service for such residences and
14 businesses before and after the use by the
15 entity of such assistance.

16 “(c) PRIORITY.—In providing financial assistance
17 under this section, the Secretary shall give priority to ap-
18 plications from entities proposing to—

19 “(1) provide broadband service in underserved
20 tribal areas;

21 “(2) provide broadband service to the greatest
22 number of households in underserved tribal areas;
23 and

1 “(3) improve the ability of tribal governments
2 or their designees to provide telecommunications
3 service on tribal lands.

4 “(d) LIMITATION.—The Under Secretary may not
5 provide financial assistance under this section for a fiscal
6 year to an entity that provides telecommunications service
7 to 20 percent or more of the households in the United
8 States if the cost to the Federal Government of such fi-
9 nancial assistance exceeds 15 percent of the assistance
10 made available under this section for the fiscal year.

11 “(e) REPORT.—Not later than 3 years after the date
12 on which funds are first made available to carry out this
13 section under subsection (f), the Under Secretary shall
14 submit to Congress and to the Rural Broadband Advisory
15 Panel a report that describes the extent of participation
16 under this section for the preceding fiscal year, including
17 a description of—

18 “(1) the communities served by activities sup-
19 ported by funds under this section;

20 “(2) the number of grants, loans, and loan
21 guarantees applied for and provided under this sec-
22 tion;

23 “(3) the period of time required to approve
24 each application under this section; and

1 “(4) the overall progress towards fulfilling the
2 goal of providing broadband service on tribal lands,
3 including a description of—

4 “(A) the number and location of residences
5 and businesses that receive improved broadband
6 service as a result of financial assistance under
7 this section;

8 “(B) the average price and speed of
9 broadband service for such residences and busi-
10 nesses;

11 “(C) any network improvements supported
12 under this section; and

13 “(D) activities supported under this sec-
14 tion that improve broadband service on tribal
15 lands for educational institutions, health care
16 providers, and public safety service providers.

17 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
18 is authorized to be appropriated to the Secretary of Agri-
19 culture to carry out this section \$25,000,000 for each of
20 fiscal years 2017 through 2022, to remain available until
21 expended.”.

1 **SEC. 5. TELECOMMUNICATIONS LOAN AND LOAN GUAR-**
2 **ANTEE PROGRAM.**

3 (a) IN GENERAL.—Title II of the Rural Electrifica-
4 tion Act of 1936 (7 U.S.C. 922 et seq.) is amended by
5 adding at the end the following new section:

6 **“SEC. 208. REGIONAL TELECOMMUNICATIONS DEVELOP-**
7 **MENT.**

8 “(a) IN GENERAL.—In addition to any preference
9 given under section 201 with respect to a telephone loan
10 made under this Act, the Secretary may give preference
11 to an application for such a loan for a project that, as
12 determined by the Secretary, supports the development of
13 telecommunications services on a multijurisdictional basis.

14 “(b) EVALUATION OF APPLICATIONS.—In evaluating
15 an application described in subsection (a), the Secretary
16 shall consider whether—

17 “(1) the project that is the subject of the appli-
18 cation was developed through the collaboration and
19 participation of multiple stakeholders in the service
20 area of the project, including State, local, and tribal
21 governments, nonprofit institutions, institutions of
22 higher education, and private entities;

23 “(2) the applicant has an understanding of the
24 applicable regional resources that could support the
25 project, including natural resources, human re-
26 sources, infrastructure, and financial resources; and

1 (B) in paragraph (1), by inserting “, and
2 may make grants,” after “loans”; and

3 (C) in paragraph (2)—

4 (i) in the matter preceding subpara-
5 graph (A), by striking “loans or loan guar-
6 antees” and inserting “loans, loan guaran-
7 tees, or grants”;

8 (ii) in subparagraph (A)—

9 (I) by striking “loan and loan
10 guarantee” and inserting “loan, loan
11 guarantee, and grant”; and

12 (II) by striking “loans and loan
13 guarantees” and inserting “loans,
14 loan guarantees, and grants”; and

15 (iii) in subparagraph (C), by striking
16 “loans or loan guarantees” and inserting
17 “loans, loan guarantees, or grants”;

18 (3) in subsection (d)—

19 (A) in paragraph (1)(A)—

20 (i) in the matter preceding clause (i),
21 by striking “loan or loan guarantee” and
22 inserting “loan, loan guarantee, or grant”;

23 (ii) in clause (ii), by striking “loan”
24 and inserting “loan or grant”; and

25 (iii) in clause (iii)—

1 (I) by striking “loan” and insert-
2 ing “loan or grant”; and

3 (II) by striking “loan made or
4 guaranteed” and inserting “loan or
5 grant made or loan guaranteed”;

6 (B) in paragraph (2)—

7 (i) in subparagraph (A), in the matter
8 preceding clause (i)—

9 (I) by inserting “or the funds re-
10 ceived through a grant made” after
11 “guaranteed”; and

12 (II) by striking “loan or loan
13 guarantee” and inserting “loan, loan
14 guarantee, or grant”; and

15 (ii) in subparagraph (B), by striking
16 “loan or loan guarantee” and inserting
17 “loan, loan guarantee, or grant”;

18 (C) in paragraph (3)(A), by striking “loan
19 or loan guarantee” and inserting “loan, loan
20 guarantee, or grant”;

21 (D) in paragraph (4), by striking “loan or
22 loan guarantee” and inserting “loan, loan guar-
23 antee, or grant”;

24 (E) in paragraph (5)(A), in the matter
25 preceding clause (i), by striking “loan or loan

1 guarantee” and inserting “loan, loan guarantee,
2 or grant”;

3 (F) in paragraph (6)—

4 (i) by striking “loan or loan guar-
5 antee” and inserting “loan, loan guar-
6 antee, or grant”; and

7 (ii) by striking “loan involved” and in-
8 serting “loan or grant involved”; and

9 (G) in paragraph (7), by striking “loan”
10 and inserting “loan or grant”;

11 (4) in subsection (f), by striking “loan or loan
12 guarantee” and inserting “loan, loan guarantee, or
13 grant”;

14 (5) in subsection (j)—

15 (A) in the matter preceding paragraph (1),
16 by striking “loan and loan guarantee” and in-
17 serting “loan, loan guarantee, and grant”;

18 (B) in paragraph (1)—

19 (i) by striking “loans” and inserting
20 “loans or grants”; and

21 (ii) by striking “loan” and inserting
22 “loan or grant”;

23 (C) in paragraph (2)—

24 (i) in subparagraph (A), by striking
25 “loan” and inserting “loan or grant”; and

1 (ii) in subparagraph (B), by striking
2 “loans and loan guarantees” and inserting
3 “loans, loan guarantees, and grants”; and
4 (D) in paragraph (3), by striking “loan”
5 and inserting “loan or grant”;

6 (6) by redesignating subsections (k) and (l) as
7 subsections (l) and (m), respectively;

8 (7) by inserting after subsection (j) the fol-
9 lowing new subsection:

10 “(k) MATCHING FUNDS REQUIREMENT.—The recipi-
11 ent of a grant under this section shall provide funds, in-
12 kind contributions, or a combination of both, from sources
13 other than funds provided through such grant in an
14 amount that is at least equal to 10 percent of the amount
15 of such grant.”;

16 (8) in subsection (l) (as so redesignated)—

17 (A) in paragraph (1), by striking
18 “\$25,000,000 for each of fiscal years 2008
19 through 2018” and inserting “\$50,000,000 for
20 each of fiscal years 2017 through 2020”; and

21 (B) in paragraph (2), by striking “loans
22 and loan guarantees” and inserting “loans, loan
23 guarantees, and grants” each place it appears;
24 and

25 (9) in subsection (m) (as so redesignated)—

1 (A) by striking “loan or loan guarantee”
2 and inserting “loan, loan guarantee, or grant”;
3 and

4 (B) by striking “2018” and inserting
5 “2020”.

6 (b) PRIORITY FOR SUPPORT FOR DEVELOPMENT OF
7 BROADBAND SERVICE.—Section 601(e)(2) of the Rural
8 Electrification Act of 1936 (7 U.S.C. 950bb(e)(2)), as
9 amended by subsection (a), is further amended—

10 (1) in subparagraph (C), by striking “and” at
11 the end;

12 (2) in subparagraph (D), by striking the period
13 at the end and inserting “; and”; and

14 (3) by adding at the end the following new sub-
15 paragraph:

16 “(E) give priority to applicants that offer
17 in the applications of the applicants to provide
18 support for multijurisdictional projects for the
19 development of broadband service in rural and
20 underserved areas that are developed through
21 the collaboration and participation of multiple
22 stakeholders in the service area of such a
23 project, including State, local, and tribal gov-
24 ernments, nonprofit institutions, institutions of
25 higher education, and private entities.”.

1 **SEC. 7. INVENTORY OF FEDERAL AND STATE ASSETS.**

2 (a) IN GENERAL.—Not later than 1 year after the
3 date of enactment of this Act, the Under Secretary for
4 Rural Broadband Initiatives shall—

5 (1) establish and maintain an inventory of any
6 real property that is owned, leased, or otherwise
7 managed by the Federal Government on which a
8 broadband facility could be constructed, as deter-
9 mined by the Under Secretary for Rural Broadband
10 Initiatives; and

11 (2) make such inventory available to the public.

12 (b) EXECUTIVE AGENCY REPORTS.—

13 (1) IN GENERAL.—Not later than 6 months
14 after the date of enactment of this Act, each execu-
15 tive agency shall submit to the Under Secretary for
16 Rural Broadband Initiatives a report that includes
17 information regarding any real property that is
18 owned, leased, or otherwise managed by such agency
19 on which a broadband facility could be constructed.

20 (2) CHANGES IN REAL PROPERTY.—Not later
21 than 30 days after receiving notice of changes in the
22 information included in a report under paragraph
23 (1), the head of an applicable executive agency shall
24 notify the Under Secretary for Rural Broadband Ini-
25 tiatives of such changes.

1 (3) NATIONAL SECURITY EXEMPTION.—An
2 agency may exclude from the report described in
3 paragraph (1) any information the head of the execu-
4 tive agency determines would harm national secu-
5 rity.

6 (c) STATE AND LOCAL ASSETS.—

7 (1) IN GENERAL.—A State, local, or tribal gov-
8 ernment may provide to the Under Secretary for
9 Rural Broadband Initiatives information regarding
10 any real property that is owned, leased, or otherwise
11 managed by the State, local, or tribal government on
12 which a broadband facility could be constructed.

13 (2) CONSULTATION.—The Under Secretary for
14 Rural Broadband Initiatives shall, in consultation
15 with State, local, or tribal governments, issue such
16 guidance or regulations as may be necessary to en-
17 sure that information provided by a State, local, or
18 tribal government under paragraph (1) is accurate.

19 **SEC. 8. RETENTION OF RENTAL FEES ASSOCIATED WITH**
20 **COMMUNICATIONS USE AUTHORIZATIONS ON**
21 **FEDERAL LANDS.**

22 (a) SPECIAL ACCOUNT REQUIRED.—The Secretary of
23 the Treasury shall establish a special account in the
24 Treasury for each Federal land management agency for
25 the deposit of rental fees received by a Federal land man-

1 agement agency for communications use authorizations on
2 Federal lands granted, issued, or executed by the Federal
3 land management agency.

4 (b) DEPOSIT AND RETENTION OF RENTAL FEES.—
5 Rental fees received by a Federal land management agen-
6 cy shall—

7 (1) be deposited in the special account estab-
8 lished for that Federal land management agency;
9 and

10 (2) remain available for expenditure under sub-
11 section (c), to the extent and in such amounts as are
12 provided in advance in appropriation Acts.

13 (c) EXPENDITURE OF RETAINED FEES.—Amounts
14 deposited in the special account for a Federal land man-
15 agement agency shall be used for Federal land manage-
16 ment agency activities related to communications sites, in-
17 cluding the following:

18 (1) Administering communications use author-
19 izations, including cooperative agreements under
20 subsection (d).

21 (2) Preparing needs assessments or other pro-
22 grammatic analyses necessary to designate commu-
23 nications sites and authorize communications uses
24 on or adjacent to Federal lands.

1 (3) Developing management plans for commu-
2 nications sites on or adjacent to Federal lands.

3 (4) Training for management of communica-
4 tions sites on or adjacent to Federal lands.

5 (5) Obtaining or improving access to commu-
6 nications sites on or adjacent to Federal lands.

7 (d) COOPERATIVE AGREEMENT AUTHORITY.—

8 (1) DEPARTMENT OF THE INTERIOR.—The
9 Secretary of the Interior may enter into cooperative
10 agreements to carry out the activities described in
11 subsection (c).

12 (2) FOREST SERVICE.—The Secretary of Agri-
13 culture, acting through the Chief of the Forest Serv-
14 ice, may enter into cooperative agreements to carry
15 out the activities described in subsection (c).

16 (e) NO EFFECT ON OTHER FEE RETENTION AU-
17 THORITIES.—This section shall not limit or otherwise af-
18 fect fee retention by a Federal land management agency
19 under any other authority.

20 (f) DEFINITIONS.—In this section:

21 (1) COMMUNICATIONS SITE.—The term “com-
22 munications site” means an area of Federal lands
23 designated for telecommunications uses.

24 (2) COMMUNICATIONS USE.—The term “com-
25 munications use” means the placement and oper-

1 ation of infrastructure for wireless telecommuni-
2 cations, regardless of whether the use of radio fre-
3 quencies by such telecommunications is pursuant to
4 a license issued by the Federal Communications
5 Commission or on an unlicensed basis in accordance
6 with the regulations of the Commission. The term
7 includes ancillary activities directly related to such
8 placement and operation.

9 (3) COMMUNICATIONS USE AUTHORIZATION.—
10 The term “communications use authorization”
11 means a right-of-way, permit, or lease granted,
12 issued, or executed by a Federal land management
13 agency for the primary purpose of authorizing the
14 occupancy and use of Federal lands for communica-
15 tions use.

16 (4) FEDERAL LAND MANAGEMENT AGENCY.—
17 The term “Federal land management agency”
18 means the National Park Service, the United States
19 Fish and Wildlife Service, the Bureau of Land Man-
20 agement, the Bureau of Reclamation, and the Forest
21 Service.

22 (5) FEDERAL LANDS.—The term “Federal
23 lands” means lands under the jurisdiction and man-
24 agement of a Federal land management agency.

1 (6) RENTAL FEE.—The term “rental fee”
2 means the fee collected by a Federal land manage-
3 ment agency for the occupancy and use authorized
4 by a communications use authorization pursuant to
5 and consistent with authorizing law.

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