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(Original Signature of Member)

116TH CONGRESS  
1ST SESSION

# H. R.

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

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## IN THE HOUSE OF REPRESENTATIVES

Mr. TIPTON introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# 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 satis-  
14 fies any applicable broadband speed  
15 standards established by the Sec-  
16 retary; or

17 “(II) the service provider is in  
18 compliance with buildout obligations  
19 in the relevant area to provide retail  
20 fixed terrestrial broadband service  
21 that will comply with the applicable  
22 broadband speed standards described  
23 in subclause (I); or

24 “(ii) was financed with a loan under this  
25 Act or any other program carried out by the

1 Secretary that remains outstanding for the pur-  
2 pose of providing fixed terrestrial telecommuni-  
3 cations or broadband service.

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

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