

AMENDMENT TO RULES COMMITTEE PRINT 116-

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OFFERED BY MR. GOSAR OF ARIZONA

Add at the end the following:

1 **SEC. 4. 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 broadband-capable infrastructure—

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

17 “(A) the broadband service satisfies any
18 applicable broadband speed standards under

1 that section and the regulations issued under
2 that section; or

3 “(B) the service provider is in compliance
4 with buildout obligations to provide retail fixed
5 broadband service that will comply with applica-
6 ble broadband speed standards described in
7 subparagraph (A); or

8 “(2) that—

9 “(A) was financed with funds provided by
10 the Secretary under this Act or any other pro-
11 gram carried out by the Secretary for the costs
12 of the construction, improvement, or acquisition
13 of facilities or equipment for the purpose of
14 providing fixed telecommunications or
15 broadband service; and

16 “(B)(i) is used to provide fixed broadband
17 service, if—

18 “(I) the broadband service satisfies
19 any applicable broadband speed standards
20 established by the Secretary; or

21 “(II) the service provider is in compli-
22 ance with buildout obligations to provide
23 retail fixed broadband service that will
24 comply with applicable broadband speed
25 standards described in subclause (I); or

1 “(ii) was financed with a loan under this
2 Act or any other program carried out by the
3 Secretary that remains outstanding.

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 broadband serv-
14 ice 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, acting through the Administrator of the Rural
18 Utilities Service, to coordinate, approve, or finance the de-
19 ployment of broadband-capable infrastructure by a service
20 provider may be used to provide retail fixed broadband
21 service in a geographic area in which there is no qualifying
22 broadband-capable infrastructure owned or operated by
23 another service provider.”.

