AMENDMENT TO DIVISION B OF RULES
COMMITTEE PRINT 116-59
OFFERED BY MR. TIPTON OF COLORADO

Page 435, after line 12, insert the following:

SEC. 111. This section and the next section of this Act may be cited as the “Reprioritizing Unserved Rural Areas and Locations for Broadband Act of 2020” and the “RURAL Broadband Act of 2020”.

SEC. 112. Title VI of the Rural Electrification Act of 1936 (7 U.S.C. 950bb et seq.) is amended by adding at the end the following:

“SEC. 607. USE OF ASSISTANCE FOR DEPLOYMENT OF BROADBAND INFRASTRUCTURE.

“(a) DEFINITION OF QUALIFYING BROADBAND-CAPABLE INFRASTRUCTURE.—In this section, the term ‘qualifying broadband-capable infrastructure’ means fixed terrestrial broadband-capable infrastructure—

“(1) used by a service provider to provide fixed terrestrial broadband service for which the service provider receives universal service support under section 254 of the Communications Act of 1934 (47 U.S.C. 254), if—
“(A) the broadband service satisfies the current speed benchmark for fixed services established by the FCC under section 706 of the Telecommunications Act of 1996 (47 U.S.C. 1302); or

“(B) the service provider is in compliance with buildout obligations in the relevant area to provide retail fixed terrestrial broadband service that will comply with the applicable broadband speed standard described in subparagraph (A); or

“(2) that—

“(A) was financed with funds provided by the Secretary under this Act or any other program carried out by the Secretary for the costs of the construction, improvement, or acquisition of facilities or equipment for the purpose of providing fixed terrestrial telecommunications or broadband service; and

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

“(I) the broadband service satisfies any applicable broadband speed standards established by the Secretary; or
“(II) the service provider is in compliance with buildout obligations in the relevant area to provide retail fixed terrestrial broadband service that will comply with the applicable broadband speed standards described in subclause (I); or

“(ii) was financed with a loan under this Act or any other program carried out by the Secretary that remains outstanding for the purpose of providing fixed terrestrial telecommunications or broadband service.

“(b) Restriction on Use of Assistance.—A loan, grant, or other assistance awarded under this Act, or by the rural development mission area under the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.), may not be used to coordinate, approve, or finance the deployment of broadband-capable infrastructure by a service provider to provide retail fixed broadband service that would overbuild or otherwise duplicate qualifying broadband-capable infrastructure that another service provider is using to provide retail fixed terrestrial broadband service in the same geographic area.

“(c) Use of Assistance in Unserved Areas.—A loan, grant, or other assistance provided by the Sec-
retary hereunder, acting through the Administrator of the Rural Utilities Service, to coordinate, approve, or finance the deployment of broadband-capable infrastructure by a service provider may be used to provide retail fixed broadband service only in a geographic area in which there is no qualifying broadband-capable infrastructure owned or operated by another service provider.”