

“(C) chapter 35 of title 44, United States Code (commonly known as the ‘Paperwork Reduction Act’).
“(3) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.— In carrying out this subsection, the Secretary shall use the authority provided under section 808 of title 5, United States Code.”

§ 950bb-1. National Center for Rural Telecommunications Assessment

(a) Designation of Center

The Secretary shall designate an entity to serve as the National Center for Rural Telecommunications Assessment (referred to in this section as the “Center”).

(b) Criteria

In designating the Center under subsection (a), the Secretary shall take into consideration the following criteria:

- (1) The Center shall be an entity that demonstrates to the Secretary—
 - (A) a focus on rural policy research; and
 - (B) a minimum of 5 years of experience relating to rural telecommunications research and assessment.

(2) The Center shall be capable of assessing broadband services in rural areas.

(3) The Center shall have significant experience involving other rural economic development centers and organizations with respect to the assessment of rural policies and the formulation of policy solutions at the Federal, State, and local levels.

(c) Board of directors

The Center shall be managed by a board of directors, which shall be responsible for the duties of the Center described in subsection (d).

(d) Duties

The Center shall—

- (1) assess the effectiveness of programs carried out under this subchapter in increasing broadband penetration and purchase in rural areas, especially in rural communities identified by the Secretary as having no broadband service before the provision of a loan or loan guarantee under this subchapter;
- (2) work with existing rural development centers selected by the Center to identify policies and initiatives at the Federal, State, and local levels that have increased broadband penetration and purchase in rural areas and provide recommendations to Federal, State, and local policymakers on effective strategies to bring affordable broadband services to residents of rural areas, particularly residents located outside of the municipal boundaries of a rural city or town; and
- (3) develop and publish reports describing the activities carried out by the Center under this section.

(e) Reporting requirements

Not later than December 1 of each applicable fiscal year, the board of directors of the Center shall submit to Congress and the Secretary a report describing the activities carried out by the Center during the preceding fiscal year and the results of any research conducted by the Center during that fiscal year, including—

- (1) an assessment of each program carried out under this subchapter; and

(2) an assessment of the effects of the policy initiatives identified under subsection (d)(2).

(f) Authorization of appropriations

There is authorized to be appropriated to the Secretary to carry out this section \$1,000,000 for each of fiscal years 2008 through 2012.

(May 20, 1936, ch. 432, title VI, § 602, as added Pub. L. 110-234, title VI, § 6111, May 22, 2008, 122 Stat. 1203, and Pub. L. 110-246, § 4(a), title VI, § 6111, June 18, 2008, 122 Stat. 1664, 1965.)

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

EFFECTIVE DATE

Enactment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as a note under section 8701 of this title.

§ 950bb-2. Rural Gigabit Network Pilot Program

(a) Definition of ultra-high speed service

In this section, the term “ultra-high speed service” means broadband service operating at a 1 gigabit per second downstream transmission capacity.

(b) Pilot program

The Secretary shall establish a pilot program to be known as the “Rural Gigabit Network Pilot Program”, under which the Secretary may, at the discretion of the Secretary, provide grants, loans, or loan guarantees to eligible entities.

(c) Eligibility

(1) In general

To be eligible to obtain assistance under this section, an entity shall—

- (A) demonstrate to the Secretary the ability to furnish or extend ultra-high speed service to a rural area;
- (B) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require;
- (C) not already provide ultra-high speed service to a rural area within any State in the proposed service territory; and
- (D) agree to complete buildout of ultra-high speed service by not later than 3 years after the initial date on which assistance under this section is made available.

(2) Eligible projects

Assistance under this section may only be used to carry out a project in a proposed service territory if—

- (A) the proposed service territory is a rural area; and
- (B) ultra-high speed service is not provided in any part of the proposed service territory.

(d) Authorization of appropriations

There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2014 through 2018.

(May 20, 1936, ch. 432, title VI, § 603, as added Pub. L. 113-79, title VI, § 6105, Feb. 7, 2014, 128 Stat. 856.)

CHAPTER 31A—TELEMEDICINE AND DISTANCE LEARNING SERVICES IN RURAL AREAS

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TERMINATION OF CHAPTER

For termination of chapter by section 1(b) of Pub. L. 102-551, see note set out under section 950aaa of this title.

§ 950aaa. Purpose

The purpose of this chapter is to encourage and improve telemedicine services and distance learning services in rural areas through the use of telecommunications, computer networks, and related advanced technologies by students, teachers, medical professionals, and rural residents.

(Pub. L. 101-624, title XXIII, § 2331, as added Pub. L. 104-127, title VII, § 704, Apr. 4, 1996, 110 Stat. 1108.)

TERMINATION OF SECTION

For termination of section by section 1(b) of Pub. L. 102-551, see Termination of Chapter note set out below.

PRIOR PROVISIONS

A prior section 950aaa, Pub. L. 101-624, title XXIII, § 2331, Nov. 28, 1990, 104 Stat. 4017, provided purposes of chapter, prior to the general amendment of this chapter by Pub. L. 104-127.

TERMINATION OF CHAPTER

Pub. L. 102-551, § 1(b), Oct. 28, 1992, 106 Stat. 4100, as amended by Pub. L. 107-171, title VI, § 6203(b), May 13, 2002, 116 Stat. 421; Pub. L. 110-234, title VI, § 6201(c), May 22, 2008, 122 Stat. 1206, and Pub. L. 110-246, § 4(a), title VI, § 6201(c), June 18, 2008, 122 Stat. 1664, 1967; Pub. L. 113-79, title VI, § 6201(b), Feb. 7, 2014, 128 Stat. 856, provided that: “Notwithstanding any other provision of law, chapter 1 of subtitle D of title XXIII of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 950aaa et seq.), including the amendments made by this section [enacting section 950aaa-5 of this title and amending section 950aaa-4 of this title], shall be effective until September 30, 2018.”

§ 950aaa-1. Definitions

In this chapter:

(1) Construct

The term “construct” means to construct, acquire, install, improve, or extend a facility or system.

(2) Cost of money loan

The term “cost of money loan” means a loan made under this chapter bearing interest at a rate equal to the then current cost to the Federal Government of loans of similar maturity.

(3) Secretary

The term “Secretary” means the Secretary of Agriculture.

(Pub. L. 101-624, title XXIII, § 2332, as added Pub. L. 104-127, title VII, § 704, Apr. 4, 1996, 110 Stat. 1108.)

TERMINATION OF SECTION

For termination of section by section 1(b) of Pub. L. 102-551, see Termination of Chapter note set out under section 950aaa of this title.

PRIOR PROVISIONS

A prior section 950aaa-1, Pub. L. 101-624, title XXIII, § 2332, Nov. 28, 1990, 104 Stat. 4017; Pub. L. 102-237, title VII, § 702(g), Dec. 13, 1991, 105 Stat. 1880, provided goal of Federal Government to make affordable advanced telecommunications available to rural residents, prior to the general amendment of this chapter by Pub. L. 104-127.

§ 950aaa-2. Telemedicine and distance learning services in rural areas

(a) Services to rural areas

The Secretary may provide financial assistance for the purpose of financing the construction of facilities and systems to provide telemedicine services and distance learning services in rural areas.

(b) Financial assistance

(1) In general

Financial assistance shall consist of grants or cost of money loans, or both.

(2) Form

The Secretary shall determine the portion of the financial assistance provided to a recipient that consists of grants and the portion that consists of cost of money loans so as to result in the maximum feasible repayment to the Federal Government of the financial assistance, based on the ability to repay of the recipient and full utilization of funds made available to carry out this chapter.

(c) Recipients

(1) In general

The Secretary may provide financial assistance under this chapter to—

(A) entities using telemedicine services or distance learning services;

(B) entities providing or proposing to provide telemedicine service or distance learning service to other persons at rates calculated to ensure that the benefit of the financial assistance is passed through to the other persons;¹

(C) libraries.

(2) Electric or telecommunications borrowers

(A) Loans to borrowers

Subject to subparagraph (B), the Secretary may provide a cost of money loan under this chapter to a borrower of an electric or telecommunications loan under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.). A borrower receiving a cost of money loan under this paragraph shall—

(i) make the funds provided available to entities that qualify under paragraph (1) for projects satisfying the requirements of this chapter;

(ii) use the funds provided to acquire, install, improve, or extend a system referred to in subsection (a); or

¹ So in original. Probably should be followed by “and”.