

(8) Savings provision

The termination of the Pilot Program under paragraph (6) shall not limit, alter, or affect the ability of the Secretary of Commerce or the Inspector General of the Department of Commerce to—

(A) investigate waste, fraud, and abuse with respect to the Pilot Program; or

(B) recover funds that are misused under the Pilot Program.

(Pub. L. 116–260, div. N, title IX, §902, Dec. 27, 2020, 134 Stat. 2121.)

Editorial Notes**CODIFICATION**

Section was enacted as part of the Consolidated Appropriations Act, 2021, and not as part of the Broadband Data Improvement Act which comprises this chapter.

§ 1307. Office of Internet Connectivity and Growth**(a) Short title**

This section may be cited as the “Advancing Critical Connectivity Expands Service, Small Business Resources, Opportunities, Access, and Data Based on Assessed Need and Demand Act” or the “ACCESS BROADBAND Act”.

(b) Establishment

Not later than 180 days after December 27, 2020, the Assistant Secretary shall establish the Office of Internet Connectivity and Growth within the National Telecommunications and Information Administration.

(c) Duties**(1) Outreach**

The Office shall—

(A) connect with communities that need access to high-speed internet and improved digital inclusion efforts through various forms of outreach and communication techniques;

(B) hold regional workshops across the country to share best practices and effective strategies for promoting broadband access and adoption;

(C) develop targeted broadband training and presentations for various demographic communities through various media;

(D) develop and distribute publications (including toolkits, primers, manuals, and white papers) providing guidance, strategies, and insights to communities as the communities develop strategies to expand broadband access and adoption; and

(E) as applicable in carrying out subparagraphs (A) through (D), coordinate with State agencies that provide similar broadband investments, outreach, and coordination through Federal programs.

(2) Tracking of Federal dollars**(A) Broadband infrastructure**

The Office shall track the construction and use of and access to any broadband infrastructure built using any Federal support in a central database.

(B) Accounting mechanism

The Office shall develop a streamlined accounting mechanism by which any agency

offering a Federal broadband support program and the Commission for any Universal Service Fund Program shall provide the information described in subparagraph (A) in a standardized and efficient fashion.

(C) Report

Not later than 1 year after December 27, 2020, and every year thereafter, the Office shall make public on the website of the Office and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the following:

(i) A description of the work of the Office for the previous year and the number of residents of the United States that received broadband as result of Federal broadband support programs and the Universal Service Fund Programs.

(ii) A description of how many residents of the United States were provided broadband by which universal service mechanism or which Federal broadband support program.

(iii) An estimate of the economic impact of such broadband deployment efforts on local economies, including any effect on small businesses or jobs.

(d) Relation to current broadband activities of NTIA

The Assistant Secretary shall assign to the Office all activities performed by the National Telecommunications and Information Administration as of December 27, 2020, that are similar to the activities required to be conducted by the Office under this section.

(e) Streamlined applications for support**(1) Agency consultation**

The Office shall consult with any agency offering a Federal broadband support program to streamline and standardize the applications process for financial assistance or grants for such program.

(2) Agency streamlining

Any agency offering a Federal broadband support program shall amend the applications of the agency for broadband support, to the extent practicable and as necessary, to streamline and standardize applications for Federal broadband support programs across the Government.

(3) Single application

To the greatest extent practicable, the Office shall seek to create one application that may be submitted to apply for all, or substantially all, Federal broadband support programs.

(4) Website required

Not later than 180 days after December 27, 2020, the Office shall create a central website through which potential applicants can learn about and apply for support through any Federal broadband support program.

(f) Coordination of support**(1) In general**

To ensure that Federal support for broadband deployment is being distributed in

an efficient, technology-neutral, and financially sustainable manner, and that a program does not duplicate any other Federal broadband support program or any Universal Service Fund high-cost program—

(A) any agency that offers a Federal broadband support program shall coordinate with the Office consistent with the goals described in paragraph (2); and

(B) the Office, with respect to Federal broadband support programs, and the Commission, with respect to the Universal Service Fund high-cost programs, shall coordinate with each other consistent with the goals described in paragraph (2).

(2) Goals

The goals of any coordination conducted pursuant to this subsection are the following:

(A) Serving the largest number of unserved locations in the United States and ensuring all residents of the United States have access to high-speed broadband.

(B) Promoting the most job and economic growth for all residents of the United States.

(3) Broadband availability maps

The Office and the Commission shall consult the broadband availability maps produced by the Commission when coordinating under paragraph (1).

(g) Definitions

In this section:

(1) Agency

The term “agency” has the meaning given that term in section 551 of title 5.

(2) Assistant Secretary

The term “Assistant Secretary” means the Assistant Secretary of Commerce for Communications and Information.

(3) Commission

The term “Commission” means the Federal Communications Commission.

(4) Federal broadband support program

The term “Federal broadband support program” does not include any Universal Service Fund Program and means any of the following programs (or any other similar Federal program) to the extent the program offers broadband internet service, support for broadband deployment, or programs for promoting broadband access and adoption for various demographic communities through various media for residential, commercial, community providers, or academic establishments:

(A) The Telecommunications and Technology Program of the Appalachian Regional Commission.

(B) The Telecommunications Infrastructure Loan and Loan Guarantee Program established under the Rural Electrification Act of 1936 [7 U.S.C. 901 et seq.], the rural broadband access program established under title VI of that Act (7 U.S.C. 950bb et seq.), the initiative under section 306F of that Act (7 U.S.C. 936f), the Community Connect Grant Program established under section 604 of that Act (7 U.S.C. 950bb-3), the broadband

loan and grant pilot program authorized under section 779 of division A of the Consolidated Appropriations Act, 2018 (Public Law 115-141; 132 Stat. 399) (commonly known as the “Rural eConnectivity Pilot Program” or the “ReConnect Program”), and the Distance Learning and Telemedicine Program under 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.).

(C) Community facility direct and guaranteed loans under section 1926(a) of title 7, community facility grants under paragraph (19), (20), or (21) of section 1926(a) of title 7, and the Rural Community Development Initiative authorized under the heading “Rural Housing Service—Rural Community Facilities Program Account” under title III of division B of the Further Consolidated Appropriations Act, 2020 (Public Law 116-94; 133 Stat. 2629).

(D) The Public Works and Economic Adjustment Assistance Programs and the Planning and Local Technical Assistance Programs of the Economic Development Administration of the Department of Commerce.

(E) The Community Development Block Grants and Section 108 Loan Guarantees Programs, the Funds for Public Housing Authorities: Capital Fund and Operating Fund, the Multifamily Housing Programs, the Indian Community Development Block Grant Program, the Indian Housing Block Grant Program, the Title VI Loan Guarantee Program, the Choice Neighborhoods Program, the HOME Investment Partnerships Program, the Housing Trust Fund, and the Housing Opportunities for Persons with AIDS Program of the Department of Housing and Urban Development.

(F) The American Job Centers of the Employment and Training Administration of the Department of Labor.

(G) The Library Services and Technology Grant Programs of the Institute of Museum and Library Services.

(5) Office

The term “Office” means the Office of Internet Connectivity and Growth established pursuant to subsection (b).

(6) Universal Service Fund high-cost programs

The term “Universal Service Fund high-cost programs” means—

(A) the program for Universal Service Support for High-Cost Areas set forth under subpart D of part 54 of title 47, Code of Federal Regulations, or any successor thereto;

(B) the Rural Digital Opportunity Fund set forth under subpart J of part 54 of title 47, Code of Federal Regulations, or any successor thereto;

(C) the Interstate Common Line Support Mechanism for Rate-of-Return Carriers set forth under subpart K of part 54 of title 47, Code of Federal Regulations, or any successor thereto;

(D) the Mobility Fund and 5G Fund set forth under subpart L of part 54 of title 47, Code of Federal Regulations, or any successor thereto; and

(E) the High Cost Loop Support for Rate-of-Return Carriers program set forth under subpart M of part 54 of title 47, Code of Federal Regulations, or any successor thereto.

(7) Universal Service Fund Program

The term “Universal Service Fund Program” means any program authorized under section 254 of this title to help deploy broadband.

(8) Universal service mechanism

The term “universal service mechanism” means any funding stream provided by a Universal Service Fund Program to support broadband access.

(h) Rule of construction

Nothing in this section is intended to alter or amend any provision of section 254 of this title.

(Pub. L. 116-260, div. FF, title IX, §903, Dec. 27, 2020, 134 Stat. 3210.)

REFERENCES IN TEXT

This section, referred to in subsecs. (d), (g), and (h), was in the original “this Act”, which was translated as meaning section 903 of Pub. L. 116-260, div. FF, title IX, Dec. 27, 2020, 134 Stat. 3210, to reflect the probable intent of Congress.

The Rural Electrification Act of 1936, referred to in subsec. (g)(4)(B), is act May 20, 1936, ch. 432, 49 Stat. 1363, which is classified generally to chapter 31 (§901 et seq.) of Title 7, Agriculture. Title VI of the Act is classified generally to subchapter VI (§950bb et seq.) of chapter 31 of Title 7. For complete classification of this Act to the Code, see section 901 of Title 7 and Tables.

The Food, Agriculture, Conservation, and Trade Act of 1990, referred to in subsec. (g)(4)(B), is Pub. L. 101-624, Nov. 28, 1990, 104 Stat. 3359. Chapter 1 of subtitle D of title XXIII of the Act is classified generally to chapter 31A (§950aaa et seq.) of Title 7, Agriculture. For complete classification of this Act to the Code, see Short Title of 1990 Amendment note set out under section 1421 of Title 7 and Tables.

CODIFICATION

Section was enacted as part of the Advancing Critical Connectivity Expands Service, Small Business Resources, Opportunities, Access, and Data Based on Assessed Need and Demand Act, also known as the ACCESS BROADBAND Act, and not as part of the Broadband Data Improvement Act which comprises this chapter.

§ 1308. Interagency agreement

(a) Short title

This section may be cited as the “Broadband Interagency Coordination Act of 2020”.

(b) Interagency agreement

(1) Definitions

In this section—

(A) the term “covered agency” means—

(i) the Federal Communications Commission;

(ii) the Department of Agriculture; and

(iii) the National Telecommunications and Information Administration; and

(B) the term “high-cost programs” means—

(i) the program for Universal Service Support for High-Cost Areas set forth under subpart D of part 54 of title 47, Code

of Federal Regulations, or any successor thereto;

(ii) the Rural Digital Opportunity Fund set forth under subpart J of part 54 of title 47, Code of Federal Regulations, or any successor thereto;

(iii) the Interstate Common Line Support Mechanism for Rate-of-Return Carriers set forth under subpart K of part 54 of title 47, Code of Federal Regulations, or any successor thereto;

(iv) the Mobility Fund and 5G Fund set forth under subpart L of part 54 of title 47, Code of Federal Regulations, or any successor thereto; and

(v) the High Cost Loop Support for Rate-of-Return Carriers program set forth under subpart M of part 54 of title 47, Code of Federal Regulations, or any successor thereto.

(2) Interagency agreement

Not later than 180 days after December 27, 2020, the heads of the covered agencies shall enter into an interagency agreement requiring coordination between the covered agencies for the distribution of funds for broadband deployment under—

(A) the high-cost programs;

(B) the programs administered by the Rural Utilities Service of the Department of Agriculture and the Department of Agriculture; and

(C) the programs administered by or coordinated through the National Telecommunications and Information Administration.

(3) Requirements

In entering into an interagency agreement with respect to the programs described in paragraph (2), the heads of the covered agencies shall—

(A) require that the covered agencies share information with each other about existing or planned projects that have received or will receive funds under the programs described in paragraph (2) for new broadband deployment;

(B) provide that—

(i) subject to clause (ii), upon request from another covered agency with authority to award or authorize any funds for new broadband deployment in a project area, a covered agency shall provide the other covered agency with any information the covered agency possesses regarding, with respect to the project area—

(I) each entity that provides broadband service in the area;

(II) levels of broadband service provided in the area, including the speed of broadband service and the technology provided;

(III) the geographic scope of broadband service coverage in the area; and

(IV) each entity that has received or will receive funds under the programs described in paragraph (2) to provide broadband service in the area; and

(ii) if a covered agency designates any information provided to another covered