

H.R. 1783 Accessible, Affordable Internet for All Act

Sec. 1. Short Title; Table of Contents

Sec. 2. Definitions.

Provides definitions that apply throughout the bill.

Sec. 3. Sense of Congress.

States that it is the Sense of Congress that broadband service and digital literacy are increasingly critical to how Americans participate in modern society, including accessing health care and education, and that lack of internet service harms individual and community opportunities and exacerbates wealth gaps.

Sec. 4. Severability.

States that if any section of the title is held to be invalid, the other sections remain valid.

Title I – Digital Equity

Sec. 1000. Definitions.

Provides definitions that apply throughout the subtitle.

Subtitle A – Office of Internet Connectivity and Growth

Sec. 1101. Report.

Requires the recently established Office of Internet Connectivity and Growth (OICG) within the National Telecommunications and Information Administration (NTIA) to report on the non-economic benefits of broadband service, including any effect on civic engagement, and on the extent to which beneficiaries of the Universal Service Fund receive service at the speeds required by such program.

Sec. 1102. Study and Report on Affordability of Adoption of Broadband Service.

Requires OICG to conduct a study on the extent to which affordability is a contributing factor to the lack of broadband adoption and on ways to improve Federal subsidies to households to make broadband affordable.

Sec. 1103. Authorization for Office of Internet Connectivity and Growth.

Authorizes \$26 million annually for operations of the OICG, including the reports required under this chapter.

Sec. 1104. Study on Recommendations to Connect Socially Disadvantaged Individuals. —

Requires the Office of Internet Connectivity and Growth to conduct a study on how existing federal programs have expanded access and adoption of broadband service for socially disadvantaged individuals.

Subtitle B – Digital Equity Programs

Sec. 1201. State Digital Equity Capacity Grant Program.

Establishes the State Digital Equity Capacity Grant Program, administered by the OICG, to aid States in digital equity and digital inclusion activities. States applying to receive grants must have an established State Digital Equity Plan and a designated administering entity. Grants are determined by formula and must be used within a five-year period to implement the State's Digital Equity Plan and to pursue digital inclusion activities consistent with that plan. Authorizes \$60 million for grants to States to develop their digital equity plans and an additional \$625 million for grants to implement these plans. No less than five percent of the funds must be used to award grants to Indian tribes, Alaska Native entities, and Native Hawaiian organizations.

Sec. 1202. Digital Equity Competitive Grant Program.

Establishes the State Digital Equity Competitive Grant Program, administered by the OICG, to award grants to local entities, tribal governments, Alaska Native entities, Native Hawaiian organizations, non-profits, anchor institutions, educational entities, and workforce development programs for digital inclusion activities. Authorizes \$625 million to carry out this program, and no less than five percent of the funds must be used to award grants for Indian tribes, Alaska Native entities, and Native Hawaiian organizations.

Sec. 1203. Policy Research, Data Collection, Analysis and Modeling, Evaluation and Dissemination.

Requires that the Assistant Secretary of Commerce for Communications and Information report to Congress annually on the grants awarded under the State Digital Equity Capacity Grant Program and the Digital Equity Competitive Grant Program and evaluate how each grant has been implemented.

Sec. 1204. General Provisions.

Provides for requirements of non-discrimination, technology neutrality, and audits throughout the chapter.

Title II – Broadband Affordability and Pricing Transparency

Subtitle A – Broadband Affordability

Sec. 2101. Emergency Broadband Benefit.

Authorizes additional \$6 billion for the recently established Emergency Broadband Benefit Program at the Federal Communications Commission (FCC).

Sec. 2102. Grants to States to Strengthen National Lifeline Eligibility Verifier.

Authorizes \$200 million to help states participate in the National Lifeline Eligibility Verifier.

Sec. 2103. Federal Coordination Between Lifeline and SNAP Verification.

Requires the FCC to coordinate with the Department of Agriculture to set up automated connections between the National Lifeline Eligibility Verifier and the National Accuracy Clearinghouse for the Supplemental Nutrition Assistance Program (SNAP).

Sec. 2104. Definitions.

Subtitle B – Student Connectivity

Sec. 2201. Emergency Connectivity Fund.

Authorizes additional \$2 billion for the recently established Emergency Connectivity Fund at the Federal Communications Commission (FCC) to fund distance learning for K-12 students and teachers, among others.

Subtitle C – Price Transparency

Sec. 2301. Definitions.

Provides definitions that apply throughout the subtitle.

Sec. 2302. Broadband Transparency.

Requires the FCC to adopt rules to collect from service providers certain data regarding price of broadband service plans and subscription rates and data to determine the resiliency of the network in the event of a natural disaster or emergency.

Sec. 2303. Distribution of Data.

Requires the FCC to make all data collected under Section 2202 available to other Federal agencies, State-run broadband entities, a unit of local government, and an individual conducting research for noncommercial purposes. The FCC may not share any of this data with an entity or individual unless the agency has determined that they have the capacity to properly protect any personally identifiable information contained in the data.

Sec. 2304. Coordination with Certain Other Federal Agencies.

Amends the BROADBAND DATA Act to require the FCC to coordinate with the Postmaster General, or any other agency that operates delivery fleet vehicles, whenever coordination would be beneficial for data collection.

Sec. 2305. Broadband Consumer Labels.

Requires the FCC to issue rules to promote and incentivize a standard format for broadband internet service providers to disclose to consumers the price and terms of their service offerings.

Sec. 2306. GAO Report.

Title III – Broadband Access

Subtitle A – Expansion of Broadband Access

Sec. 3101. Expansion of Broadband Access in Unserved Areas and Areas With Low-Tier or Mid-Tier Service.

Authorizes \$80 billion to fund competitive bidding systems to build broadband infrastructure. Seventy-five percent of the funding is to be used for a nationwide system of competitive bidding to fund broadband deployment in unserved areas, defined as areas with service below 25/25 Megabits per second (Mbps), and areas with low-tier service, defined as areas with service between 25/25 and 100/100 Mbps. The remaining funds (25 percent) are to be distributed among States, by population

with a minimum guarantee for each State, to conduct statewide systems of competitive bidding for broadband deployment in unserved areas, areas with low-tier service, and to unserved anchor institutions (anchor institutions with speeds less than 1 gigabit per 1,000 users). Both the Commission and State must first hold a system of competitive bidding exclusively for bidders offering gigabit symmetrical service.

The section establishes certain preferences for the projects, including where access will be expanded in unserved areas and on Tribal lands; where higher speeds than the minimum specified will be offered; where the project will result in new open access networks; where the project will increase access for persistent poverty counties or high-poverty areas at subsidized rates; where the local community in the eligible area supports the project; and where completion will happen in advance of the maximum allowed buildout of three years.

The section also establishes certain requirements for projects funded under the program, including offering broadband service that provides at least 100/100 Mbps with sufficiently low latency, offering broadband service at prices that are comparable to, or lower than, the prices charged for comparable service, and offering an affordable service plan. All bidders must meet objective, transparent criteria upfront that demonstrates technical and operational capacity to implement winning projects.

Anyone awarded funding in the nationwide system of competitive bidding must pay wages to employees working on the project funded through this program at rates not less than those prevailing on projects of a similar character in the locality and meet prevailing Federal labor and environmental requirements, and remain neutral with respect to the employees right to organize under the National Labor Relations Act.

A minimum \$100,000,000 will be allocated to each of the 50 States, the District of Columbia, and Puerto Rico, and a minimum \$500,000,000 will be set aside for the recently established tribal broadband program at NTIA.

3102. Tribal Internet Expansion.

Amends section 254(b)(3) of the Communications Act of 1934 to explicitly reference Indian Country.

Subtitle B – Broadband Infrastructure Finance and Innovation

Sec. 3201. Short Title.

Sec. 3202. Definitions.

Establishes definitions that apply throughout the chapter.

Sec. 3203. Determination of Eligibility and Project Selection.

Creates the Broadband Infrastructure Financing Innovation (BIFIA) program, administered by the NTIA, to provide State and local governments, public authorities, and public-private partnerships financial assistance in the form of secured loans, lines of credit, and loan guarantees for eligible broadband infrastructure financing projects. To be eligible, NTIA must determine that BIFIA funding for the project will: (a) foster partnerships that will attract private and public investment for

the project; (b) enable the project to proceed at an earlier date than the project would otherwise be able to proceed or reduce the lifecycle costs; and (c) reduce the Federal contribution for the project. Preference will be given for open access projects. Applicants must be able to demonstrate that construction on the project would begin within 90 days after receiving financial assistance.

Sec. 3204. Secured Loans.

Provides additional restrictions regarding secured loans made under the BIFIA program. The secured loans, which cannot exceed 49 percent of project costs, may be used to finance a project or to refinance interim or long-term obligations for projects that otherwise meet program requirements. In the case of bankruptcy or insolvency, the Federal government is in senior position to other debt holders.

Sec. 3205. Lines of Credit.

Provides additional restrictions regarding lines of credit available under the BIFIA program. Eligible entities may apply for lines of credit to be used to finance eligible project costs, extraordinary repair and replacement costs, operations and maintenance expenses, and costs of unexpected environmental restrictions. In the case of bankruptcy or insolvency, the Federal government is in senior position to other debt holders.

Sec. 3206. Alternative Prudential Lending Standards for Small Projects.

Requires the NTIA to establish alternate, streamlined lending standards for projects reasonably expected to incur less than \$20 million in eligible costs to ensure they pose no additional risks to the Federal government.

Sec. 3207. Program Administration.

Requires the NTIA to establish a program for servicing the credit instruments authorized under the program. It authorizes the NTIA to collect and spend fees to cover the expense of outside experts and firms to underwrite and service the instruments.

Sec. 3208. State and Local Permits.

Clarifies that the program does not preempt, supersede, or otherwise limit state and local laws governing construction, permitting, or rate of return.

Sec. 3209. Regulations.

Allows the Assistant Secretary of Commerce for Communications and Information to promulgate regulations necessary to administer the program.

Sec. 3210. Funding.

Authorizes \$5 billion to carry out the BIFIA program.

Sec. 3211. Reports to Congress

Requires a report, due 12 months after passage and biannually thereafter, summarizing the financial performance of the projects funded by the program, and an additional annual report identifying and providing the status of all of the letters of interest and applications for funding received in the prior fiscal year (FY).

Sec. 3301. E-Rate Support for School Bus Wi-Fi.

Requires the FCC to update its rules to permit Wi-Fi access on school buses as eligible for support under the E-Rate program.

Title IV – Community Broadband

Sec. 4001. State, Local, and Public-Private Partnership Broadband Services.

Prohibits state governments from enforcing laws or regulations that inhibit local governments, public-private partnerships, and cooperatives from delivering broadband service.

Title V – Dig Once

Sec. 5001. Broadband Infrastructure Deployment

Creates a new “dig once” provision to ensure better coordination of transportation and broadband infrastructure projects, while ensuring State flexibility and preventing unfunded mandates. Creates a Dig Once Funding Task Force to estimate the cost of a nationwide “dig once” requirement, and to propose and evaluate options for funding such a requirement. Ensures Task Force consultation with stakeholders that represent rural communities and communities with limited access to broadband infrastructure.